

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37542 of 2023

Arising Out of PS. Case No.-104 Year-2023 Thana- KORHA District- Katihar

CHANDRASHEKHAR KUMAR @ CHANDRASHEKHAR SHARAMA
SON OF BINO SHARMA RESIDENT OF VILLAGE - NAKKIPUR, P.S. -
KORHA, DISTRICT - KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 399, 402 of the Indian Penal Code and Section 37 of the Bihar Prohibition and Excise Act.

3. As per the FIR, the informant who is an A.S.I., got a secret information that some miscreants are conspiring a plan to commit crime. For verification of the said information, the informant reached at Nakkipur village. After seeing police, the people assembled there started to escape but somehow police apprehended some of them and also seized a motorcycle, mobile phone and one sharp cut weapon. During enquiry, smell of alcohol was coming out from the mouth of the apprehended



persons and the apprehended persons also disclosed the name of the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner and there is no recovery from his possession. It is submitted that the seized motorcycle does not belongs to the petitioner and his name has been implicated in this case on the basis of statement of apprehended co-accused. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner and the petitioner has no criminal antecedent, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount each to the satisfaction of the learned court below where
the case is pending/Successor Court in connection with Korha
P.S. Case No.104/2023 subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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