

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39890 of 2023

Arising Out of PS. Case No.-975 Year-2022 Thana- SIKARPUR District- West Champaran

TAUSIF HAIDAR @ TONI HAIDAR Son of Arshad Ali @ Shaikh Musha
Resident of village - Barwa Barauli, P.S. - Shikarpur, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv Mr. Govind Mohan, Adv Mr. Pramod Kumar Yadav, Adv
For the Opposite Party/s:		Mr. Kalyan Shankar, APP Mr. Sanjeev Kumar Shrivastava, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 07-11-2023 Heard learned senior counsel for the petitioner,

learned counsel for the informant as well as learned Addi-

tional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case regis-
tered for the offence punishable under Sections 302, 307, 34,
120B of the Indian Penal Code and 27 of Arms Act.

3. The allegation against the petitioner is that he along
with other co-accused persons killed the son of the informant.

4. It is submitted by learned Senior counsel for the peti-
tioner that petitioner is quite innocent and have committed no
offence. He has been falsely implicated in this case due to
suspicion. 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. There is no eye witness to the alleged occurrence to show the involvement of the petitioner in the present case. There is no allegation of firing against the petitioner. Petitioner has two criminal antecedent, which is mentioned in the supplementary affidavit filed by the learned counsel for the petitioner.

5. Learned Additional Public Prosecutor for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that the petitioner is a conspirator of the alleged occurrence and is also involved in the present case.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, 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 Shikarpur P.S. Case No.975 of 2022,



subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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