

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40057 of 2023

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

SAIF ALI S/O MAKSUD ALAM R/O Hardiya Chowk, Ward No. 09,
Narkatiyaganj, P.S- Shikarpur, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Md. Aslam Ansari

Mr. Sanjeev Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-11-2023 Heard the parties.

2. The petitioner apprehend his arrest in connection with Shikarpur P.S. Case No.975 of 2022, registered for the offence punishable under Sections 302, 307, 120B, 34 of the Indian Penal Code.

3. The allegation against the petitioner is that he provided weapon to the other co-accused persons from which the son of the informant was killed.

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. Petitioner is not named in the FIR, his name transpired in the present case during the course of investigation. There is no specific overt act



against the petitioner. Petitioner has been made accused in a subsequent case, as also mentioned in para-2 of the supplementary affidavit.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that the bail application of similarly situated co-accused has been rejected by a Co-ordinate Bench of this Court vide order dated 04.08.2023 passed in Cr. Misc. No.45767 of 2023.

6. Having regard to the facts and circumstances of the case as well as considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

8. However, the petitioner is at liberty to surrender before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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