

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46858 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- MOUZAHDIPUR District- Bhagalpur

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MOHAMMAD SADDAM ALI @ SADDAM ALI @ MOHAMMAD
SADDAM Son of Md. Shamshad Ali @ Buddal Resident of Village-Badar
Alampur Maujamchak, P.S.-Habibpur, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 307 and
120(B)/34 of the Indian Penal Code as well as Section 27 of the
Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

4. The informant alleges that her son-in-law on
account of dispute relating to ward election was shot by Md.
Afsar, Md. Adnan and Md. Afroj and the petitioner along with
other named accused persons had fired earlier on her son-in-law.
It is further alleged that for the last one month, the accused
persons including the petitioner were planning to kill her son-in-



law.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that the antecedent which the petitioner carries was also because of the side of the informant as Mojahidpur P.S. Case No. 170 of 2020 was instituted against the petitioner but the police after investigation submitted final form. It is next submitted that since the final form was submitted and the son-in-law of the informant was killed as such based on suspicion the petitioner came to be implicated in the present case also. It is also submitted that from perusal of the allegation, it would manifest that the specific allegation of firing is against Md. Afsar, Md. Adnan and Md. Afroj Ali.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Mojahidpur
P.S. Case No. 74 of 2023, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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