

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60098 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- PURUSHOTTAMPUR District- West
Champaran

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Shamim Ahmad @ Shameem, Son of Amirullah Ansari, Resident of Village -
Balirampur, P.S. - Purushottampur, District - West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

For the Informant : Mr. Akhileshwar Kumar Shrivastva, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner, learned counsel
for informant and learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest
bail in connection with Purushottampur P.S. Case No. 43 of 2023
registered for the offences punishable under Sections 341, 323,
324, 307, 504, 506/34 of the Indian Penal Code. He has got no
criminal antecedent.

3. As per the prosecution story, on 16.04.2022 at about
04:00 A.M., the petitioner along with other co-accused persons
various armed entered into the house of the informant and
assaulted the family members of the informant. It is alleged that
Shamim Ahmad (this petitioner) and Wasim Ahmad stabbed
Tabasum Ara on right side of her forehead, Soni Khatoon on the
middle of her back and also Dilshad Alam on her right arm.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is submitted that there is case and counter case between the parties.

5. Learned APP for the State and learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner. It is submitted that the injuries were caused with a knife on the vital part of the body.

6. Having regard to the facts and circumstances of the case wherein there are specific allegation against the petitioners that they had assaulted the female members of the family of the informant entering into their house and such injuries were caused with a knife on the vital part of the body, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

7. The prayer for anticipatory bail of the petitioner is, thus, refused.

8. In case the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudice by the order of this Court.

9. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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