

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72205 of 2023

Arising Out of PS. Case No.-465 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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SAMIR SHEKH @ SAMIR ALAM SON OF GAUHAR ALAM RESIDENT
OF VILLAGE - KUWARIDEVI CHOWK, P.S. - TOWN MOTIHARI,
DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Raj Kishor Singh
Mr. Kundan Rathore @ Kundan Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 341, 323, 324, 307,
379, 504, 34 of the Indian Penal Code.

3. Allegedly, the petitioner and other co-accused person
took a girl in a rented house and started misbehaving with her.
On objection by the informant, the petitioner and others
including the girl left the place. It is further alleged that the
petitioner gave the co-accused order to kill the informant. On
his direction, the co-accused assaulted the informant by means



of knife due to which he got injured and also took away his gold chain.

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. He submits that the petitioner is only the order giver and there is no specific overt act against him. He further submits that the specific allegation is against the co-accused namely, Sonu Paswan. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant 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, 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 Town P.S. Case No.465 of 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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