

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73568 of 2023

Arising Out of PS. Case No.-300 Year-2022 Thana- DHAMDAHA District- Purnia

Md. Shamsher @ Md. Shamrej Son Of Md. Jamal R/O Village- Amari,
Kukron, P.S.- Dhamdaha, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 05-12-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any,
within a period of three weeks from today.

2. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Dhamdaha P.S Case No. 300 of 2022 dated
17.10.2022 registered for the offence punishable u/s 392,
413 and 414 of the Indian Penal Code and 25(1-b)a and 26
of the Arms Act.

4. As per the prosecution case, miscreants are
alleged to have snatched Rs. 8000/- in cash and a mobile



from the informant and 12,500/- from the co-villager.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that the name of the petitioner has transpired on the confessional statement of the co-accused namely, Pir Mohammad. Learned counsel has further submitted that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the two motorcycles recovered and used in the commission of the alleged occurrence is in the name of Md. Aslam Ansari and Santosh Kumar Jha and not to the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the



satisfaction of the learned court concerned, Purnea in connection with Dhamdaha P.S. Case No. 300 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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