

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72860 of 2022

Arising Out of PS. Case No.-280 Year-2022 Thana- BAHADURPUR District- Darbhanga

MD. SHAHNWAZ @ MB. SHANBAJ @ MD. SAHANWAJ HUSSAIN Son
of Md. Zafirul @ Jafir Hussain R/o village - Taralahi, P.S.- Bahadurpur,
District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 504 and 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 pending in the learned court below.

As per the F.I.R, petitioner pointed pistol upon the informant and told to kill him anyhow he saved his life and return to his house. Again the petitioner came with arm at the house of the informant and started to assault him and with the help of his villagers he snatched the arms and informed to the police then other co-accused came there and started to assault him and they tried to take away the seized arms.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. He further submits that the case u/s 25(1-b)a, 25 of the Arms Act is not being attracted in this case only 35 of the Arms Act is made out as per prosecution case. He submits that others co-accused persons have already been granted bail by the learned Court below itself. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Bahadurpur P.S. Case No. 280/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

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

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

