

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11697 of 2024

Arising Out of PS. Case No.-815 Year-2023 Thana- SITAMARHI District- Sitamarhi

Shamshad (Chik) @ Shamshad Son of Md Mumtaj Ali R/o Village -
Sonapatti, P.S.- Sitamarhi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-02-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 302, 34 of the Indian Penal Code.

3. This petitioner alongwith other F.I.R. named co-accused persons are alleged to have committed the murder of husband of the informant by knife.

4. It is submitted on behalf of petitioner that from bare perusal of the F.I.R., it is apparent that informant is not eye-witness to the alleged occurrence and she came to know about the alleged occurrence from one Nathuni Ansari. According to Nathuni Ansari, two persons came on motorcycle and after stabbing the husband of informant fled away from the spot. He (Nathuni Ansari) has not disclosed the name of persons, who



caused injury. Except suspicion, there is no other material against this petitioner to show his complicity in the alleged crime. It is further submitted that during investigation, none of the witnesses have claimed to see this petitioner in the company of deceased. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Sitamarhi P.S. Case No. 815 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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