

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44842 of 2024

Arising Out of PS. Case No.-160 Year-2020 Thana- KUNDWACHAINPUR District- East
Champaran

Md. Shamim Alam @ Shamim Akhtar son of Late Mohammad Safiq @ Late
Safiq R/o- Guabari Ps- Kundwachainpur Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Prateek Tandon, Advocate
For the Opposite Party/s :	Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Kundwachainpur P.S. Case No. 160 of 2020 dated 15.10.2020,
instituted for the offence punishable under Sections 147, 149,
323, 427, 307, 379, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in short, is that the petitioner
along with other co-accused owing to prior enmity surrounded
and assaulted the informant and his brother due to which they
sustained injuries.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that there is no specific allegation



against the petitioner, rather, the allegations are general and omnibus in nature. It is further submitted that the co-accused persons namely, Md. Nirale @ Imtayaz Ahmad and Md. Wakil Ahmad have been granted bail vide order dated 23.08.2023 passed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 49204 of 2023. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Kundwachainpur P.S. Case No. 160 of 2020 , he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Sikrahana, Dhaka, Motihari, East Champaran, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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