

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59189 of 2023

Arising Out of PS. Case No.-312 Year-2022 Thana- PAKRIDAYAL District- East Champaran

Samim Miya @ Lale @ Mohamad Shamimaalam Son Of Late Azuzul Miya
Resident Of Village - Itawa, P.S. - Pakridayal, District - East Champaran
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. Petitioner is said to have fired upon the informant but it hit one child of the village namely Jamullah.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the informant who is Choukidar is not the eye witness and he himself has stated that he heard rumour about the occurrence. He further submits that petitioner has criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.



6. Considering the facts and circumstances of the case and the criminal antecedent of the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Pakridayal P.S. Case No. 312 of 2022.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

devendra/-

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

