

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67570 of 2024

Arising Out of PS. Case No.-41 Year-2020 Thana- ARARIA District- Araria

Shahjad Alam @ Shahjad Son of Md. Ikbal Resident of Village-Mirjapur
Kothi, P.S.- Simraha, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kameshwar Prasad Singh, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 23-10-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Araria PS case no. 41 of 2020, disclosing offences punishable under Section 323 and other allied sections of the Indian Penal Code, Section 3/4 of Dowry Prohibition Act and Sections 25(1-2)a/26 of Arms Act.
3. The prosecution story, as per the First Information Report, is that on 11.01.2020 at about 10.30 pm, all accused went to the house of informant and attacked him. It is alleged that the petitioner fired upon the informant but due to intervention of the villagers, he was saved. It is further alleged that the petitioner threatened his wife i.e. daughter of informant by demanding Rs. 2 lacs and also gave “Tin Talak” (Triple



Talaque).

4. Learned Counsel for the petitioner submits that petitioner has not fired upon the informant’s side, however one countrymade pistol and one live cartridge have been recovered. Learned counsel further submits that in the incident, no body has got injury as no injury report is on the record. The petitioner is stated to be having no criminal antecedent.

5. Having regard to the facts and circumstances of the case and taking into consideration the seizure list which shows that one country made pistol and one .303 bore live cartridge have been recovered from the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

6. The prayer for anticipatory bail is, accordingly, rejected.

(Anil Kumar Sinha, J)

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