

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79873 of 2023

Arising Out of PS. Case No.-428 Year-2022 Thana- SUGAULI District- East Champaran

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ARSHAD ALAM @ ARSHAD ALI Son of Jafir Alam Resident of village -
Pajiarwa, Ward No.- 7, P.S.- Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Asif Kalim , Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 393 and 34 of the Indian
Penal Code and 25 (1-b)a, 26, 27 and 35 of the Arms Act.

3. Allegation against the petitioner is that he, along
with other co-accused persons, on the point of gun demanded a
mobile from the informant, and when the informant refused to
give his mobile, one of the other co-accused persons fired on the
informant. In the meantime, this petitioner succeeded in fleeing
from the spot.

4. It is submitted that neither any incriminating
article has been recovered from the possession of the petitioner
nor he has been apprehended on the spot. The name of the



petitioner transpired on the confessional statement of the other co-accused person who was apprehended on the spot. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, 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 the learned Judicial Magistrate 1st Class Motihari District- East Champaran in connection with Sugauli P.S. case No. 428 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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