

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82466 of 2024

Arising Out of PS. Case No.-392 Year-2024 Thana- SIWAN CITY District- Siwan

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Javed Ahmad @ Md. Jawed @ Jawed Ahmad S/o Anwar Mian @ Anawar Hussain @ Anwar Hussain R/o Telhatta Bazar, P S- Siwan Town, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyendra Rai

For the Opposite Party/s : Mr.Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-12-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Siwan Town Police Station Case No. 392 of 2024, dated 30.07.2024, disclosing offences under Sections 126(2), 127(2), 115(2), 109, 352, 351(2), 308(2), 308(5), 3(5) of Bhartiya Nyaya Sanhita, 2023 and Section 27 of Arms Act.
3. The prosecution case, as per the First Information Report, is that on 30.07.2024, in the morning, the petitioner along with other accused persons arrived near shop of the informant. Thereafter, co-accused Guddu Sharma and Ajay Yadav entered into the jewellery shop of informant



and demanded extortion and threatened to kill the informant and on refusal, Guddu Sharma took out a pistol and fired three rounds with intention to kill the informant and also assaulted the informant by mirror kept nearby, due to which informant sustained injury on his head. The allegation against the petitioner is that he, along with other accused persons, was doing recce outside the shop.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to land dispute between the informant and the co-accused Guddu Sharma. He further submits that petitioner is not having any criminal antecedent and during the course of investigation no incriminating material has come against the petitioner. He next submits that nobody has sustained firearm injury due to the alleged firing done by co-accused Guddu Sharma and others. He further submits that similarly situated co-accused person, namely, Vinod Kasera, has been granted anticipatory bail by this Court, vide order, dated 09.12.2024, passed in Criminal Misc. No. 80416 of 2024.
5. Having regard to the submissions made on behalf of the parties and the taking into consideration the nature of



allegation and the fact that there appears to be dispute regarding land between co-accused Guddu Sharma and the informant and and similarly situated co-accused has been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released 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 Chief Judicial Magistrate, Siwan, in connection with Siwan Town Police Station Case No. 392 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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