

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85623 of 2024

Arising Out of PS. Case No.-16 Year-2022 Thana- PUPRI District- Sitamarhi

Md. Sami @ Md. Shami @ Sami Ahmad @ Md. Samim @ Md. Sami Ahmad
S/O Md. Safi @ Safi Ahmad @ Md. Safi Ahmad R/O Vill.- Awapur, P.S.-
Pupri, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 14-02-2025 Heard learned Counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Pupri P.S. Case No. 16 of 2022, registered for the offences punishable under Sections 147, 148, 149, 307, 302, 341, 323, 34, 324 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the petitioner along with others is said to have come at the informant's house and assaulted him and his family members, due to which they sustained injury.

4. Learned Counsel for the petitioner submits that the



two accused persons with a slight difference in their names have been accused along with other accused persons in the present case. The petitioner is Md. Sami @ Md. Shami @ Sami Ahmad whereas co-accused, Md. Shamim Faiz @ Shamim Faiz @ Shamim Faizi is also co-accused in the present case.

5. Learned Counsel by drawing my attention towards *fardbayan* has submitted that it was co-accused Md. Shamim Faiz against whom there is allegation of stabbing the deceased and not against the petitioner but while rejecting the anticipatory bail application of the petitioner at the first instance vide order dated 19.07.2024 in Cr. Misc. No. 5601 of 2023, it was mistakenly observed that it was the petitioner who stabbed the deceased. The petitioner is under custody since 30.07.2024 and he is a person of clean antecedent and the other accused persons of similar allegation have been granted anticipatory as well as regular bail which have been described in paragraph-11 and 12 of the bail petition.

6. On the other hand, learned APP for the State opposes the prayer for bail of the petitioner.

7. Considering the above-mentioned facts and circumstances, the petitioner, above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the



like amount each to the satisfaction of learned S.D.J.M., Pupri at Sitamarhi in connection with Pupri P.S. Case No. 16 of 2022, subject to the following condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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