

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2292 of 2016

Arising Out of PS.Case No. -71 Year- 2013 Thana -PURUSHOTTAMPUR District-
WESTCHAMPARAN(BETTIAH)

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Sheikh Aliyas @ Md. Aliyas Sheikh son of Sheikh Ajim, resident of
Village- Sagarauwa, P.S.- Purushottampur, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Jagdhar Pd. , APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 19-01-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Purushottampur P. S. Case No. 71 of 2013 registered under
Sections 341, 323, 324, 447, 504, 354, 307 and 379/34 of the
Indian Penal Code.

It is contended that the allegations made in the FIR do
not stand corroborated by the injury reports of the injured
informant Raju Kumar and his sister Anjali Devi as the doctor
has found only abrasion on their body and hence, the
ingredients of Section 307 of the Indian Penal Code are not
attracted to the present case. The offences under Sections 354

and 379 of the Indian Penal Code are merely ornaments. It is further contended that the present case has been instituted in retaliation to Purushottampur P. S. Case No. 72 of 2013 registered under Sections 341, 323, 379, 307 and 506/34 of the Indian Penal Code on the basis of the statement made by the father of the petitioner against the informant Raju Kumar and others.

Learned counsel for the State has opposed the application for grant of anticipatory bail to the petitioner.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri A. K. Pathak, learned Judicial Magistrate, 1st Class, Bettiah, West Champaran in Purushottampur P. S. Case No. 71 of 2013, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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