

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27144 of 2017

Arising Out of PS.Case No. -82 Year- 2017 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Munna Sheikh @ Sheikh Munna, Son of Sheikh Akla (Master) @ Sheikh Reyazat Hussain.

2. Firoz Sheikh @ Sheikh Firoz @ Md. Firoz , Son of Sheikh Akla (Master) @ Sheikh Reyazat Hussain.

Both are Resident of Village- Manjharia, Police Station- Shikarpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.

For the State : Mr. Indihar Kumari, APP

For the Informant : Mr. Milind Kr. Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 01-07-2017

Heard the parties.

This application, for grant of anticipatory bail, arises out of Ramnagar P.S. Case No. 82 of 2017, disclosing offences under Sections 147, 148, 149, 323, 324, 325, 447, 448, 307, 354, 395, 504 and 506 of the Indian Penal Code.

The petitioners are brother-in-laws of one Guddu



Khan. Guddu Khan is the resident of Narainpur. The informant and said Guddu Khan are residents of Narainpur. There is no dispute about the fact that said Guddu Khan and the informant are on litigating terms. It is alleged in the First Information Report that 14 persons named in the First Information Report including these petitioners came in a Tractor for the purpose of committing *Dacoity* and assaulted the informant's brother-in-law on his head and looted certain articles.

Learned counsel for the petitioners has submitted that the petitioners have been maliciously implicated in this case and no specific role has been attributed to them. He has also submitted that said Guddu Khan has lodged a criminal case against the informant's maternal nephew and, therefore, false case has been instituted.

Learned counsel, appearing on behalf of the informant, on the other hand, has vehemently opposed the prayer for anticipatory bail.

However, in the background in which the present First Information Report has been lodged, I am of the view that a case for grant of anticipatory bail is made out. This application is, accordingly, allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below



within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned learned Sub-Divisional Judicial Magistrate, Bagaha, District-West Champaran**, in connection with **Ramnagar P.S. Case No. 82 of 2017**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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