

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63565 of 2017

Arising Out of PS.Case No. -259 Year- 2017 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Shekh Jamil S/o: Shekh Sattar,
2. Shekh Wajir S/o: Shekh Sattar
Both resident of Village-South Telhua, P.S.-Nautan,
District-West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 11-01-2018 Heard both sides.

The petitioner apprehend their arrest in Nautan P.S. Case No.259 of 2017 registered under Sections 147, 148, 149, 341, 323, 324, 379, 307, 354B, 504 and 506 of the Indian Penal Code and later on Section 302 of the IPC was added after death of one of injured, namely, Sk. Babu Jan.

The learned counsel for the petitioner submits that the informant named the petitioner but no specific allegation of assault made against the petitioner. Sk. Junaid is said to have assaulted the informant with Farsa on his head. Sk. Azad caught the informant and Sk. Babu Jan, Sk. Bhola and Sk. Sahid came to save the informant. They all were assaulted by farsa over their head by



Sk. Kawal and Sk. Mojamil. During the course of treatment to assault of Sk. Babujan, he died. In similarly situated, co-accused persons namely, Sk. Aliraj, Sk. Junaid have already been granted anticipatory bail vide order dated 18.12.2017 and 23.11.2017 passed in Cr. Misc. No.55457 of 2017 and Cr. Misc. No.56184 of 2017 respectively by a coordinate Bench of this Court.

Considering the facts aforesaid that the petitioners are named in the FIR but no allegation of assault made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt / production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah in connection with Nautan P.S. Case No.259 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Sanjeev/-

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