

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8872 of 2019

Arising Out of PS. Case No.-109 Year-2018 Thana- SIKTA District- West Champaran

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1. Sheikh Azad (aged about 32 Years(M), Son of Late Sheikh Hafiz.
 2. Sheikh Mansur (aged about 30 Years (M), Son of Sheikh Islam.
 3. Sheikh Samshad (36 Years (M), Son of Sheikh Serazul.
 4. Sheikh Khurshed (33 Years (M), Son of Sheikh Adalalt.
 5. Sheikh Firoz (38 Years (M), Son of Sheikh Serazul.
 6. Sheikh Ansarul @ Sk. Anbarul (41 Years (M), Son of Late Shieikh Serazul.
 7. Anis Akhter (19 Years (M), Son of Shikh Ansarul. All Residents of Village- Mahammadwa, P.S.- Gopalpur, District- West Champaran.
 8. Sheikh Hamidujjama @ Sk. Hamduzzama @ Raja (26 Years (M), Son of Sheikh Kamarujjama, resident of Village- Jhumka, P.S.- Sikta , District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Umesh Chandra Verma, Advocate.
For the Opposite Party : Mr.Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners are apprehending their arrest in a
case for the offence registered under Sections 307/34 of the IPC
and 27 of the Arms Act.

The prosecution story, in brief, is that on the alleged
date and time of occurrence, the informant alongwith his family
members kept to his *Chimney* to allot the work between the
labourers. When he returned back to home from there then he
heard the sound of firing. On hearing firing, villagers reached



there and saw that Sk. Istekhar was lying in field of Sk. Afsar after sustaining gun shot injury. When he asked about the name of culprits then Sk. Istekhar disclosed the names of petitioners and said that accused persons fled away from there after shooting fire upon him.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. As per the informant, the victim had disclosed the name of petitioners. The statement of the victim has been recorded in paragraph no. 41 of the case diary. He has not named the petitioners. Due to previous enmity, name of the petitioners has been dragged in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M.



West Champaran at Bettiah, in connection with Sikta P.S. Case
No. 109 of 2018, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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