

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76273 of 2018

Arising Out of PS. Case No.-396 Year-2018 Thana- GHORASAHAN District- East
Champaran

=====

SHAJJID EKBAL @ MD. SAJID IQABAL, Son of Md. Sadrul Haque,
Resident of Village- Bagaha, P.S.- Ghorasahan, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Kalyan Shankar

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 224, 225, 353, 419
and 420 of the Indian Penal Code.

The prosecution case as per the self-statement of Yusuf
Ansari, S.I.-cum-S.H.O., Ghorasahan P.S. recorded on
13.10.2018 is to the effect that the petitioner being the
Panchayat Mukhiya, was pressurizing the informant and other
accused persons of Ghorasahan P.S. Case No.395 of 2018 at his
door to compromise the aforesaid case and threatened the
informant that if he would not compromise the case, then the
petitioner will oust the informant from the village. A *sanaha*



was registered and the police along with armed force proceeded to arrest the accused persons. Thereafter, the petitioner along with the supporters got the arrested accused persons released from police custody. The petitioner was virtually discharging the duty of the Panchayat Mukhiya.

It is submitted by learned counsel for the petitioner that in fact from the prosecution it does appear that anyone was arrested, hence there is no question of commission of offences under Sections 224 and 225 of the I.P.C. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioner.

Considering the fact that the FIR does not suggests that actually any arrest was made, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **S.D.J.M., Sikrahana at Dhaka, East**



Champan in connection with **Ghorasahan P.S. Case No. 396 of 2018, G. R. Case No.1332 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

U		T	
---	--	---	--

