

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47477 of 2019

Arising Out of PS. Case No.-87 Year-2018 Thana- BAIRIYA District- West Champaran

SHEIKH ZIKURULLAH @ SHEIKH ZAKIRULLAH Son of Sheikh
Atiullah Resident of Village - Bairiya Sheikh, Toli, P.S.- Bairiya, Distt - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Bairiya Police Station Case No. 87 of 2018, disclosing
offences under Sections 147/148/149/323/307/354/504/506/34
of the Indian Penal Code.

The allegation against the petitioner is that the
petitioner, along with other co-accused persons, assaulted the
family members of the informant with traditional weapon, like
lathi, farsa, iron-rod and further some of the accused persons
tried to outrage the modesty of the daughter of the informant.

Learned Counsel for the petitioner submits that the
petitioner is innocent and no specific allegation has been



levelled against him in the First Information Report. He further submits that altogether 15 persons have been named in the First Information Report due to old enmity and land dispute and the parties are next door neighbours. He further submits that no overt act has been alleged against the petitioner in the entire First Information Report and similarly situated co-accused persons have been granted anticipatory bail by this Court by order, dated 17.09.2018, passed in Criminal Misc. No. 48099 of 2018.

After having heard learned Counsel for the parties and taking into consideration the fact that no specific allegation has been levelled against the petitioner and similarly situated co-accused persons have been granted anticipatory bail, this application is allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Bairiya Police Station Case No. 87 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.



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

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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