

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70990 of 2019

Arising Out of PS. Case No.-741 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. JAMIL AHMAD @ SYED JAMIL AHMAD Son of Late Rafique Ahmad Resident of Mohalla- Mansa Tola, Bettiah, Police Station- Bettiah (Mufasil), District- West Champaran.
 2. Mohammad kais @ Muhammad Kais S/O Syed Zafar Imam Resident of Mohalla- Mansa Tola, Bettiah, Police Station- Bettiah (Mufasil), District- West Champaran.
 3. Altaf Raja S/o Mir Tahir Resident of Mohalla- Mansa Tola, Bettiah, Police Station- Bettiah (Mufasil), District- West Champaran.
 4. Sk. Muslim S/o Sk. Lal Mohammad Resident of Mohalla- Mansa Tola, Bettiah, Police Station- Bettiah (Mufasil), District- West Champaran.
 5. Noor Alam S/O Sk. Mustakim Resident of Mohalla- Mansa Tola, Bettiah, Police Station- Bettiah (Mufasil), District- West Champaran.
 6. Syed Adil Kalam S/o Syed Abdul Kalam Resident of Mohalla- Mansa Tola, Bettiah, Police Station- Bettiah (Mufasil), District- West Champaran.
 7. Syed Abdul Kamran S/O Syed Abdul Kalam Resident of Mohalla- Mansa Tola, Bettiah, Police Station- Bettiah (Mufasil), District- West Champaran.
 8. Md. Afroj S/o Late Abdul Kadir Resident of Mohalla- Mansa Tola, Bettiah, Police Station- Bettiah (Mufasil), District- West Champaran.
 9. Mir Shaheed S/O Late Mir Mainuddin Resident of Mohalla- Mansa Tola, Bettiah, Police Station- Bettiah (Mufasil), District- West Champaran.
 10. Afjal Khan @ Pintu S/o Late Islam Khan Resident of Mohalla- Mansa Tola, Bettiah, Police Station- Bettiah (Mufasil), District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Md. Tabrej Alam Son of Reyaj Resident of Mohalla- Mansa Tola, Bettiah, Police Station- Bettiah (Mufasil), District- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-11-2019 Petitioners seek bail in anticipation of their arrest in
connection with Complaint Case No. 741-C/17 (Tr. No. 529/18),



registered for the offences punishable under Sections 420, 467, 471 and 120 (B) of the Indian Penal Code.

As per Complaint Case there is allegation against the petitioners is of lodging false case and creating the evidence in that case.

Submission of the learned counsel for the petitioners is that earlier two cases has been lodged against the complainant and others in one case two other accused persons have been convicted and one of the accused person have been granted bail and bail of one accused is rejected which will appear from Annexure-2 and the complainant was acquitted and against acquittal of complainant an appeal is preferred before the Hon'ble High Court and the said appeal is admitted for hearing which will appear from annexure-2 series. Learned counsel for the petitioners further submits that other accused persons have been granted anticipatory bail vide order dated 06.08.2019 passed in Criminal Misc. No. 48429 of 2019 and order dated 24.10.2019 passed in Criminal Misc. No. 63860 of 2019 respectively.

On the other hand learned A.P.P and counsel appearing on behalf of the complainant have opposed the bail prayer on the ground that process under Section 82 Cr.P.C. has



already been issued against the petitioners.

Having heard both sides and perused the case records, from perusal of the case records it appears that process of 82 Cr.P.C. issued during pendency of the anticipatory bail application. In such view of the matter, 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 bond of Rs.25,000/- (Rupees Five Thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No.-741-C of 2017 (Tr. No. 529/18), subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the Court concerned.

(Vinod Kumar Sinha, J)

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