

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6588 of 2020

Arising Out of PS. Case No.-100 Year-2018 Thana- MAINATAND District- West Champaran

SHEKH RAHMAN, aged about 58 years, Male, Son of Late Hasan Sheikh
R/o Village- Sagrauwa, P.S. Purushottampur, 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.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 29-06-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioners and learned counsel for the State.

Petitioner apprehends his arrest in a case registered under Sections 141, 142, 143, 151, 152, 283, 323, 353, 427 and 504 of the Indian Penal Code and U/s 3 and 4 of Prevention of Damage to Public Property Act.

Informant is the police officer, who in his self statement has alleged that he received information that an electrician has died due to electric shock in Pakuwaha, he reached there and saw a person hanging on electric pole. When the police team tried to take down the dead body, in the



meantime, local people became furious and violent. Petitioner alongwith other co-accused started blocking road in the leadership of husband of Sarpanch of Madhuri Panchayat. They also damaged the police vehicle.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case on account of police high handedness. Similarly placed co-accused, namely, Faiju Khan Dewan @ Fajlur Rahman @ Faiju Rahaman has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 02.03.2020 passed in Cr. Misc. No. 10070 of 2020. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Mainatand P.S. Case No. 100 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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