

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7532 of 2020

Arising Out of PS. Case No.-120 Year-2019 Thana- CHANPATIA District- West Champaran

1. Nejamuddin Miya @ Najamuddin Miyan, Son of Late Ishak Miya, Resident of Village - Puraina, Gosai Jolaha Toli, Ward No. 3, P.S.- Chanpatiya, District- West Champaran
2. Minaj Khatoon, Wife of Aurangjeb Alam, D/O- Nejamuddin Miya @ Najamuddin Miyan, Resident of Village - Laxmipur, Rampurwa, P.S.- Valmikinagar, District- West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners in the present case are seeking anticipatory bail in connection with Chanpatiya P.S. Case No. 120 of 2019 registered for the offences punishable under Sections 341, 323, 307 and 302/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no allegation of carrying any weapon or causing assault against the petitioners. There is a dispute between the co-sharers. The petitioner no. 2 is the married sister of Meraj and there is no allegation against her



regarding causing any assault to the deceased.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of this case, wherein it is the submission of learned counsel for the petitioners that there appears a dispute between the co-sharers and so far as petitioner no. 1 is concerned, there is no allegation of either carrying weapon or causing assault against him, petitioner no. 2 is the married sister of the co-accused Meraj and she has been falsely implicated in this case even as there is no allegation that she had given any assault to the deceased, in the nature of the allegations wherein there is no specific allegation of assault against these petitioners, let the petitioners above named in the event of their arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bettiah, West Champaran in connection with Chanpatiya P.S. Case No. 120 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when



required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

vats/-

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