

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7536 of 2021

Arising Out of PS. Case No.-333 Year-2020 Thana- SHEKHPURA District- Sheikhpura

1. MD. AKBAR SAH S/O MD. KAUSAR SAH R/O VILLAGE BAJIDPUR, P.O. AND P.S. SHEIKHPURA, DISTRICT-SHEIKHPURA.
3. MD. MUNNA SAH S/O MD. KALIM SAH R/O VILLAGE BAJIDPUR, P.O. AND P.S. SHEIKHPURA, DISTRICT-SHEIKHPURA.
4. MD. KALIM DAFALI @ MD. KALIM SAH S/O LATE HALIM SAH R/O VILLAGE BAJIDPUR, P.O. AND P.S. SHEIKHPURA, DISTRICT-SHEIKHPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-08-2021 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in Sheikhpura P.S. Case No. 333 of 2020 registered for the offence under Sections 147, 149, 341, 323, 307, 379, 504, 506, 427 of the Indian Penal Code.

Allegedly, in the backdrop of petty feud, the accused persons assaulted the informant's brother with fist and slaps and



in consequence thereof, the informant's brother was thrown on the ground and was again assaulted by the accused persons. It is also alleged that the accused persons entered informant's house and snatched gold chain and Jhumka from the informant's mother and sister.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on



their personal bond to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No. 333 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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