

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17718 of 2021**

Arising Out of PS. Case No.-265 Year-2020 Thana- SUGAULI District- East Champaran

1. Jamil Akhtar S/o Gulab Miya R/o Bangara Ward No. 20, P.S.- Sugauli, District- East Champaran.
2. Wahid Miyan S/o Gulab Miya R/o Bangara Ward No. 20, P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

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

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 13-01-2022 Heard learned counsel for the petitioners,

complainant and learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504, 506 of the Indian Penal Code.



The prosecution case as per F.I.R is that the husband of the informant has been killed by the accused persons in the background of a dispute with regard to drainage. It is alleged against petitioner No. 1 that he assaulted with iron rod on the head of the nephew of the informant namely Haider Ali whereas it is alleged against petitioner No. 2 that she threatened of dire consequences if any case is filed against the accused persons.

It is submitted by learned counsel for the petitioners that specific accusation of assault to the husband of the informant is not alleged against the petitioners. The petitioners have brought on record the deposition of the informant and Haidar Ali by way of supplementary affidavit wherein they denied to have seen the occurrence and stated that the victim died during treatment. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.



Learned counsel appearing on behalf of the informant as well as learned A.P.P for the State have vehemently opposed the prayer for bail of the petitioners.

Considering the aforestated facts let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran in connection with Sugauli P.S. Case No. 265 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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