

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14374 of 2022**

Arising Out of PS. Case No.-679 Year-2018 Thana- NAGAR District- Vaishali

SIKANDAR KHAN @ MD. SIKANDAR KHAN @ MD. SIKANDAR @
MOHAMMAD SIKANDAR SON OF FARUQE MIAN @ MOHAMMAD
FARUQE R/O MOHALLA- CHOUDHARY MUBARAK ALI, P.S.- TOWN
HAJIPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar, Adv.

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 10-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects
within stipulated period, office will place the matter before the
Bench.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 451, 427, 436, 379,
352, 354, 307/34 of the IPC and 27 of the Arms Act.

Allegedly, 300 to 400 accused persons armed with lethal
weapons entered into the house of the informant and assaulted
her family members, causing fatal injuries and they also set fire



the house of the informant. It is alleged that the petitioner and others pelted stone at the house of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that though the petitioner is named in the F.I.R. but the allegation leveled against him is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent and several similarly situated co-accused persons have been enlarged on anticipatory bail by a co-ordinate Bench of this court vide order dated 14.02.2022, passed in Cr. Misc. No.40665 of 2021.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the similarly situated co-accused have been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/Successor Court in connection with Hajipur Town P.S.
Case No.679 of 2018, corresponding to G.R. No.5159 of 2018,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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