

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27417 of 2021

Arising Out of PS. Case No.-12 Year-2021 Thana- DHAKA District- East Champaran

1. MD. SAJJAD @ MOHAMMAD SAJJAD HUSAAIN Son of Samul Haque Resident of Village - Chainpur, Dhaka Tola Mohabbatpur, P.S.- Dhaka, East Champaran.
2. Sadik @ Md. Sadik @ Sadik Reyaz Son of Haj Hirahjul Haque @ Haji Reyazul Haque Resident of Village - Chainpur, Dhaka Tola Mohabbatpur, P.S.- Dhaka, East Champaran.
3. Faruque @ Md. Fauque @ Faruque Anwar Son of Anwar Resident of Village - Chainpur, Dhaka Tola Mohabbatpur, P.S.- Dhaka, East Champaran.
4. Md. Zakir Hussain Son of Liyakat Husaain Resident of Village - Chainpur, Dhaka Tola Mohabbatpur, P.S.- Dhaka, East Champaran.
5. Motiur Rahman Son of Zamil Akhtar Resident of Village - Chainpur, Dhaka Tola Mohabbatpur, P.S.- Dhaka, East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Asif Kalim, Advocate
For the Opposite Party/s	:	Mr. Ramchandra Sahni, APP
For the Informant	:	Mr. Rananjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-02-2022 Heard learned counsel for the petitioners, learned counsel for the Informant 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 defect(s) as pointed out by the office when called upon to do so by the office.

At the very outset, learned counsel for the petitioners seeks permission to withdraw the petition against petitioner



no.4, namely, Md. Zakir Hussain and petitioner no.5, namely, Motiur Rahman.

Permission is accorded.

Accordingly, this petition is dismissed as withdrawn in respect of petitioner no.4, namely, Md. Zakir Hussain and petitioner no.5, namely, Motiur Rahman.

So far petitioner nos.1 to 3 are concerned, they are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 323, 354(A), 379, 427 and 506 of the Indian Penal Code, Section 3/4 of the Dain Act and Section 8 of the POCSO Act.

It is a case of assault upon the informant by means of lathi causing injury on her right knee.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that there is general and omnibus allegation against petitioner nos.1 to 3 and there is land dispute between the parties.

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

In view of the facts and circumstances of the case, let the petitioner no.1, namely, Md. Sajjad @ Mohammad Sajjad



Hussain, petitioner no.2, namely, Sadik @ Md. Sadik @ Sadik Reyaz and petitioner no.3, namely, Faruque @ Md. Fauque @ Faruque Anwar, 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 thousand) each with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge POCSO, Motihari, District-East Champaran in connection with Dhaka P.S. Case No. 12 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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