

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20590 of 2022

Arising Out of PS. Case No.-140 Year-2020 Thana- TURKAULIYA District- East
Champaran

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1. SHEIKH SALIM @ MD. SALIM S/o Sheikh Harun R/o village- Madhwa Zirat, P.S.- Turkauliya, District- Motihari, East Champaran
 2. Shekh Harun S/o Shekh Tauhid @ Shekh Vahid R/o village- Madhwa Zirat, P.S.- Turkauliya, District- Motihari, East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar Sharma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 21-09-2022 Heard Mr. Rohit Kumar Sharma, learned

Advocate for the petitioners and the State.

The prayer for anticipatory bail of the petitioners was earlier rejected by this Court vide order dated 27.04.2021 passed in Cr. Misc. No. 33002 of 2020 with the direction that in case the petitioners surrender before the court below and seek bail, their case shall be considered on its own merits, without being prejudiced by the fact that their anticipatory bail application was not entertained by this Court.



The learned counsel for the petitioners has explained the reasons for filing the present second anticipatory bail application and has stated that it could not be brought to the notice of the Court that the petitioner no. 2/Shekh Harun is a blind person and there is no specific accusation against him.

It has also been submitted that the informant has been examined at the trial, who has not attributed any role to the petitioners.

However, in view of the fact that the petition for anticipatory bail on behalf of the petitioners had earlier been rejected by this Court, I am not inclined to give a re-look to the case of the petitioners.

However, if the petitioners surrender before the court below within a period of four weeks from today, the court below shall take into account the afore-noted facts viz. that petitioner no. 2 is completely blind and that the informant has not attributed any role to the petitioners and shall pass orders in accordance with law



without being prejudiced by the fact that even the second anticipatory bail application of the petitioners has not been entertained.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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