

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20909 of 2022

Arising Out of PS. Case No.-418 Year-2019 Thana- BAIRIYA District- West Champaran

SHEIKH IRFAN Son of Sheikh Kismat Resident of village - Tadhwanandpur,
P.S.- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 354-B, 366-A, 511, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that she had gone to east behind her house, when Sheikh Arman and petitioner came and caught her, thereafter Arman pressed her mouth and both the accused attempted to forcibly take her to a car which was standing near her house but as the informant raised alarm, the neighbour came running and on seeing them the accused persons fled away, it is next alleged that after the said occurrence on the next day he came to the



house of the informant and threatened her that if she would inform this occurrence to the police they would forcibly lift her.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that Md. Sheikh Arman was arrested and he had moved this Court for seeking regular bail, it is also submitted that this Court after hearing the learned counsel for the petitioner was pleased to grant regular bail by order dated 08.12.2020 in Cr. Misc. No. 29117 of 2020 to Sheikh Arman, it is next submitted that the thrust of the allegation was against Sheikh Arman who has already been enlarged on regular bail, it is also submitted that from perusal of the allegation it would also manifest that though there is allegation that Sheikh Arman and this petitioner tried to gag the mouth of the informant but they did not do any indecent act, it is also submitted that no justifiable purpose would be served by sending the petitioner to jail when Sheikh Arman has already been granted the privilege of regular bail.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bairiya P.S. Case No. 418 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

One of the bailors shall be the father of the petitioner Sheikh Kismat, further the petitioner shall co-operate in the investigation.

(Satyavrat Verma, J)

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