

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22066 of 2022

Arising Out of PS. Case No.-447 Year-2021 Thana- JOKIHAT District- Araria

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1. KHURSHID Son of Siddique Resident of Village - Chirah, P.s.- Jokihat, Distt.- Araria.
 2. Md. Jalal @ Jalal Son of Late Munjali Resident of Village - Gogra, P.s.- Jokihat, Distt.- Araria.
 3. Md. Wasique Son of Sekh Siddique Resident of Village - Gogra, P.s.- Jokihat, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-11-2022 Learned counsel for the petitioner seeks permission to withdraw this application.

Permission is accorded.

This application is dismissed as withdrawn against petitioner no. 1.

So far as petitioner nos. 2 and 3 are concerned, the instant application for anticipatory bail has been filed by them apprehending their arrest in connection with Jokihat P.S. Case no. 447 of 2021 instituted for the offence punishable under Sections 147, 149, 341, 342, 323, 302, 120B of the Indian Penal Code.



As per allegation in the FIR, several accused persons forcibly dragged away the informant's son on the pretext of his appearance in Panchayat. When the informant chased them, she saw that her son was being beaten up by the accused persons and later on she heard the news of her son's death.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners is innocent and have committed no offence. They have been falsely implicated in this case due to dirty village politics. They are not named in the FIR. Their names were dragged in this case on the basis of statement of witnesses before the police, which has no evidentiary value in the eye of law.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners no. 2 and 3 on bail. The petitioners no. 2 and 3 are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Jokihat P.S. Case no. 447 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of



the like amount each to the satisfaction of learned CJM, Araria
subject to the conditions as laid down under section 438(2) of
the Cr.P.C.

(Sunil Kumar Panwar, J)

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