

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41382 of 2021

Arising Out of PS. Case No.-8 Year-2016 Thana- SATHI District- West Champaran

1. SHEIKH DAFADAR Son of Late Sheikh Manjar Resident of Village- Bairagiya, P.S.- Balthar, District- West Champaran.
2. Sheikh Alamgir Son of Late Sheikh Hakim Resident of Village- Bairagiya, P.S.- Balthar, District- West Champaran.
3. Sheikh Sabbir Son of Late Sheikh Hakim Resident of Village- Bairagiya, P.S.- Balthar, District- West Champaran.
4. Sheikh Bhikhi Son of Late Sheikh Farzan Resident of Village- Bairagiya, P.S.- Balthar, District- West Champaran.
5. Sheikh Murtuza Son of Late Sheikh Manjar Resident of Village- Bairagiya, P.S.- Balthar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 28-04-2022 Heard learned counsels for the petitioners and
the State.

Petitioners apprehend arrest in connection
with Sathi P.S. Case No. 8 of 2016 registered for the offence
punishable under section 307 and other allied sections of
the Indian Penal Code.

Learned counsel appearing for the petitioners
submits that petitioners have not committed any offence as
alleged in the first information report and they have been

falsely implicated in this case due to admitted land dispute between the parties. During investigation the case was found not true under section 307 of the Indian Penal Code.

Learned Addl. P.P. appearing for the State opposes the prayer for bail of petitioner nos. 1 and 2 and submits that there is specific allegation of assault against them which is supported by the injuries sustained. They, therefore, do not deserve to be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner nos. 3, 4 and 5, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, III, Bettiah, West Champaran in connection with Sathi P.S. Case No. 8 of 2016 subject to the conditions laid down under section 438(2) Cr.P.C.

So far as petitioner nos. 1 and 2 are concerned, considering the nature of allegations levelled and the submissions advanced on behalf of the parties, I do not feel

inclined to grant them the privilege of anticipatory bail. Their prayer for bail is, accordingly, rejected.

(Arvind Srivastava, J)

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