

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34145 of 2022**

Arising Out of PS. Case No.-269 Year-2021 Thana- TURKAULIYA District- East
Champaran

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1. ANJAR ALAM SON OF SEIKH BHOLA RESIDENT OF VILLAGE- SEMRA BELBATIAY, WARD No.10, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN.
 2. SEIKH BHOLA @SK BHOLA LATE SAH MOHAMAMD RESIDENT OF VILLAGE- SEMRA BELBATIAY, WARD No.10, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 28-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 353, 153, 186, 188, 189 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner no. 1 has antecedent of two cases and petitioner no. 2 has antecedent of four cases and the informant alleges that he received secret information that an accused is hiding in the house of petitioner (Anjar Alam), accordingly he reached the place of occurrence where co-accused including petitioners



assaulted the police force injuring the police party, thus created hindrance in discharge of official duties. Further, the accused Afzal escaped.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that the allegation of assault is general and omnibus in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that police had secret information and about Afzal hiding in the house of Anjar Alam and then petitioners also have antecedent of two and four cases as such once they are granted anticipatory bail they will evade the law.

Learned counsel for the petitioners rebuts the submission of the learned A.P.P and submits that petitioners will never evade the law rather will cooperate in the investigation and will present themselves as and when required by the Investigating Officer of the case.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 25,000/- (Rupees Twenty Five Thousand) each 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 Turkauliya P.S. Case No. 269 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioners despite giving an undertaking before this Court that they will cooperate in the investigation and will present themselves as and when required by the I.O, are not cooperating in the investigation and are not appearing when called for, the learned Trial Court after giving an opportunity of hearing to the petitioners shall pass orders in accordance with law and shall also have liberty to cancel their bail bonds.

The learned Trial Court is directed to send a copy of this Order to the concerned P.S.

(Satyavrat Verma, J)

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