

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38825 of 2022

Arising Out of PS. Case No.-101 Year-2022 Thana- DHAKA District- East Champaran

1. Md. Dabir @ Dabir Alam S/O Late Gani Mahammad Resident Of Village- Barharwa Lakhansen, Parsa Tola, P.S.- Dhaka, District- East Champaran.
2. Nek Mohammad S/O Late Sayeed Resident Of Village- Barharwa Lakhansen, Parsa Tola, P.S.- Dhaka, District- East Champaran.
3. Jafrul Haque S/O Mohammadin Sardar Resident Of Village- Barharwa Lakhansen, Parsa Tola, P.S.- Dhaka, District- East Champaran.
4. Sajjad S/O Late Tinmura Saiyeed Resident Of Village- Barharwa Lakhansen, Parsa Tola, P.S.- Dhaka, District- East Champaran.
5. Md. Afroj @ Md. Firoj S/O Shamsul Haque Resident Of Village- Barharwa Lakhansen, Parsa Tola, P.S.- Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar
For the Opposite Party/s : Mr. Umesh Lal, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Dhaka P.S. Case no. 101 of 2022 instituted for the offence under Sections 147, 148, 149, 448, 380, 353, 427, 504 & 506 of the Indian Penal Code and Section 27 of Arms Act.

As per allegation in the FIR, the petitioner along with other co-accused persons armed with a lot of weapons,



surrounded the house of informant and forcibly entered into his house. It is further allaged that they snatched golden chain worth of Rs. 1.5 lakh and robbed 50,000/- cash thereafter threatened him and went away with firing.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. They have falsely been implicated in this case due to rivalry of election of Ward Secretary after Panchayat Election. The petitioners and informant are co-villagers and general and omnibus allegations against any of them. There is case and counter case. It is further submitted that the allegation of making fire is false and there is no evidence of hitting by shot fire.

Learned APP appearing for the state has opposed the prayer of anticipatory 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 on bail. The petitioners 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 Dhaka P.S. Case no. 101 of 2022, they will be enlarged on bail on furnishing bail bond of



Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikarahana (Dhaka), East Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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