

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49496 of 2022

Arising Out of PS. Case No.-72 Year-2022 Thana- SATHI District- West Champaran

Aurangzeb Sekh @ Md Aurangzeb S/o Sheikh Farooque Resident of Village-
Bribndwan, P.S.- Sathi, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 341, 323,
324, 307, 379, 354(B), 504, 506/34 of the Indian Penal Code.

According to prosecution case, in brief is that on
03.04.2022, the informant was at his house in the meantime
Asiya Khatoon abused her for blaming of theft when informant
made protest then all F.I.R. named accused persons assaulted
her and petitioner Aurangzeb assaulted her with Garashi with
the intention to kill him due to which he sustained a head injury
and fell down on the ground. It is further alleged that S.K.
Farukh caught her hair and dragged her and they also tore her



clothes. In the meantime, co-accused, Roshan Tara snatched gold chain from the neck of the informant and they threatened her to kill if she lodged the case against them.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case in the background of family dispute. He further submits that in fact the informant is step mother of the of the petitioner no such occurrence took place as alleged in the F.I.R. He further submits that the allegation as alleged in the F.I.R. is that the petitioner assaulted with Garasa to the informant but the injury report of the informant does not corroborate with the allegation as alleged in the F.I.R. and the doctor has found the injury is simple in nature caused by hard and blunt substance.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is



pending in connection with Sathi P.S. Case No. 72 of 2022,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C. and also the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

mdrashid/-

U		T	
---	--	---	--

