

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56793 of 2021

Arising Out of PS. Case No.-242 Year-2020 Thana- SIKARPUR District- West Champaran

1. SK. TAIS @ SK. TIAS @ MD. TAISH S/o Late SK. Shamshool R/o village- Nautanwa, P.S.- Shaikarpur, District- West Champaran
2. SK. Bikau @ Bikau SK. S/o Late SK. Shamshool R/o village- Nautanwa, P.S.- Shaikarpur, District- West Champaran
3. SK. Raiful Azam @ Raiful Azam S/o Late SK. Kalam R/o village- Nautanwa, P.S.- Shaikarpur, District- West Champaran
4. SK. Manees Ahmad @ Manees Ahmad @ Nabeel Ahmad S/o Late SK. Baidullah R/o village- Nautanwa, P.S.- Shaikarpur, District- West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhinay Raj
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 04-07-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as learned APP for the State.

The petitioners apprehend their arrest in connection with Shikarpur P.S. Case No. 242 of 2020, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325 and 307 of the Indian Penal Code and 27 of the Arms Act.

As per allegation, when the informant went to the house of Suresh Pandit to demand his dues for diesel supply, the



named accused persons encircled him and co-accused Sk. Khurshid assaulted the informant with *farsa* on his head and co-accused Sk. Anwer assaulted the informant with *garansa* on his left hand. Co-accused Sk. Mahtab also assaulted him on his right hand.

The learned counsel for the petitioners has submitted that there is specific allegation against co-accused Sk. Khurshid, Sk. Anwer and Md. Aftab but so far as the present petitioners are concerned the allegation are general and omnibus in nature. He has also submitted that the wife of co-accused Sk. Anwer has also lodged a case against the prosecution side.

The learned counsel for the petitioners has submitted that though the anticipatory bail petition of Sk. Khurshid and Sk. Anwer was rejected vide order 28.06.2022 in Cr. Misc No. 56559 of 2021 but they were direct assailants but so far as the petitioners are concerned the allegation against them is general and omnibus in nature.

Learned counsel for the informant has opposed the prayer for bail and submitted that the informant has sustained grievous injuries.

Considering the above-mentioned facts and circumstances and also considering that the allegation against the petitioners are general and omnibus in nature and there is case and counter case, let the petitioners, in the event of their arrest or surrender within four



weeks before the learned court below, 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 242 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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