

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8521 of 2023

Arising Out of PS. Case No.-97 Year-2022 Thana- PURUSHOTTAMPUR District- West
Champaran

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1. SHEKH AYUB @ AYUB SHEKH SON OF LATE ENUL SHEKH R/O VILL.- PURUSHOTTAMPUR, P.S.- PURUSHOTTAMPUR, DISTT.- WEST CHAMPARAN
 2. SHEKH MUSTAK SON OF LATE MAHMUD SHEKH R/O VILL.- PURUSHOTTAMPUR, P.S.- PURUSHOTTAMPUR, DISTT.- WEST CHAMPARAN
 3. HAFIZUL RAHMAN @ RINKU SON OF SHEKH SOHRAB R/O VILL.- PURUSHOTTAMPUR, P.S.- PURUSHOTTAMPUR, DISTT.- WEST CHAMPARAN
 4. MOHAMMAD WASHI @ WASI ALAM SON OF ABDULLAH @ SHEKH ABDULLAH R/O VILL.- PURUSHOTTAMPUR, P.S.- PURUSHOTTAMPUR, DISTT.- WEST CHAMPARAN
 5. SK. ATTAULLAH SON OF MOHAMMAD ALI R/O VILL.- PURUSHOTTAMPUR, P.S.- PURUSHOTTAMPUR, DISTT.- WEST CHAMPARAN
 6. NASRULLAH @ SHEKH NASRULLAH SON OF MOHAMMAD ALI R/O VILL.- PURUSHOTTAMPUR, P.S.- PURUSHOTTAMPUR, DISTT.- WEST CHAMPARAN
 7. ANAYETULLAH @ SK. CHHOTE SON OF MOHAMMAD ALI R/O VILL.- PURUSHOTTAMPUR, P.S.- PURUSHOTTAMPUR, DISTT.- WEST CHAMPARAN
 8. SK. SOHRAB @ SOHRAB SKEKH SON OF SAUKAT ALI R/O VILL.- PURUSHOTTAMPUR, P.S.- PURUSHOTTAMPUR, DISTT.- WEST CHAMPARAN
 9. SK. WOKIL SON OF LATE SHEKH AMIN R/O VILL.- PURUSHOTTAMPUR, P.S.- PURUSHOTTAMPUR, DISTT.- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-05-2023 Heard the learned counsel for the



petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Purushottampur P.S. Case No.97 of 2022, registered for offences under Sections 147, 148, 149, 323, 224, 225, 332, 333, 337, 338 and 353 of the IPC.

The allegation is regarding the police force having gone to the house in question and conducted a raid, whereafter they had arrested one Abdullah, however, in the meantime, 22 FIR named accused persons and 40-45 unknown persons had arrived there, which also included the petitioners herein and it is alleged that they had started pelting stones and creating ruckus whereupon they had succeeded in setting free the the aforesaid Abdullah, from police custody.

After some arguments, learned counsel for the petitioners seeks not press the present petition qua petitioners no.6 to 9, however, seeks liberty on behalf of them to enable them to surrender before the learned court below and seek regular bail.



Liberty so sought is granted.

The present petition qua the petitioners no.6 to 9 stands disposed off as not pressed.

As far as petitioners no. 1 to 5 are concerned, the learned counsel for the petitioners has submitted that the petitioners no.1 to 5 are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the petitioners no.1 to 5 and they are not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail of petitioner nos. 1 to 5.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioners no. 1 to 5 are having a clean



antecedent, I deem it fit and proper to admit them to the privilege of anticipatory bail.

Accordingly, the above named petitioners no.1 to 5 are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, 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 Judicial Magistrate, 1st Class, Bettiah, West Champaran in connection with Purushottampur P.S. Case No.97 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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