

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14247 of 2023

Arising Out of PS. Case No.-133 Year-2022 Thana- BISFI (PATAUNA) District- Madhubani

1. SHAKEEL NADAF @ MD. SHAKEEL @ MD. SHAKEEL NADAF S/O MOHAMMAD DAUD @ DAUD NADAF Resident of Ward No.- 3, Khairi Banka, Madhubani, Keoti Ranway District- Madhubani, Bihar- 847121
2. REHANA KHATOON W/O MD. SHAKEEL @ SHAKEEL NADAF Resident of Ward No.- 3, Khairi Banka, Madhubani, Keoti Ranway District- Madhubani, Bihar- 847121

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abu Bakar, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Bisfi (Ausi O.P.) P.S. Case No. 133/2022 registered for the offences punishable under Sections 147, 149, 341, 323, 353, 354, 188, 504, and 506 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that he is a Circle Officer of Bisfi and deputed as Magistrate to remove encroachment in Bisfi. He further alleged that some encroachers misbehaved with him while removing



encroachment. They abused him and threatened to implicate in rape and other cases. In the said act apart from encroachers, hundreds of men and women were involved.

Learned counsel for the petitioners submits that there are general and omnibus kind of allegation against the petitioners. Hundred of people were there in the said occurrence, however petitioners have no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case in which there are general and omnibus kind of allegations against hundred of persons, no specific overt act has been alleged against the petitioners and petitioners have otherwise no criminal antecedent, this Court, therefore, directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Benipatti in connection with Bisfi (Ausi O.P.) P.S. Case No. 133/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify



the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajeev Ranjan Prasad, J)

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