

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16617 of 2023

Arising Out of PS. Case No.-192 Year-2016 Thana- RAMNAGAR District- West Champaran

Md. Atiullah @ Atiulla Son of Sk. Wakil Ahmad Resident of Village - Jogia,
P.S.- Ramnagar, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alexander Ashok, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-05-2023 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 354, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act. Later on, Section 302 of the Indian Penal Code was added.

Prosecution case, in brief, all the F.I.R. named accused persons tried to outrage the modesty of one Johari Begum and on resistance, her father-in-law was assaulted by means of *Lathi*, *danda* and *katta* as a result of which, he died during course of treatment.

Learned counsel appearing for the petitioner submits that petitioner is not named in the F.I.R. In December 2022,



petitioner came to know that he is required in the present case, though the trial was held and accused persons were acquitted and hence, the *pairvikar* of the petitioner approached one of the learned advocates to know the fact as to why Police came in search of the petitioner and later on, on perusal of entire record, nothing was found in the case record of S.T. No. 306/2017 and 500/2018. However, he verified from the court of Sub-Divisional Judicial Magistrate, Bagha, West Champaran and then on 26.04.2019, by way of opening the supplementary record, cognizance of the offence was taken and non-bailable warrant was issued. It is further submitted that persons who were made accused in the present case have already been acquitted and due to reasons stated in paragraph No. 4, 5 and 6 of the main petition, accused persons could not know the outcome of this case. Petitioner has got clean antecedent.

Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Judicial Magistrate, Bagha, West



Champaran, Bettiah in connection with Ramnagar P. S. Case
No. 192 of 2016, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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