

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23461 of 2023**

Arising Out of PS. Case No.-2 Year-2023 Thana- SUGAULI District- East Champaran

1. SEIKH TALIB SON OF LATE SEIKH AALAM RESIDENT OF VILLAGE- RAITOLA, NIMUI, ( NIMUI, PAWARIYATOLA), SUGAULI, PS- SUGAULI, DISTT- EAST CHAMPARAN
2. SEIKH SERAZ @ MD. SERAZ SON OF ASLAM MIYAN RESIDENT OF VILLAGE- RAITOLA, NIMUI, ( NIMUI, PAWARIYATOLA), SUGAULI, PS- SUGAULI, DISTT- EAST CHAMPARAN
3. KYAMUDDIN MIYAN @ TENI SON OF LATE MUSHLIM MIYAN RESIDENT OF VILLAGE- RAITOLA, NIMUI, ( NIMUI, PAWARIYATOLA), SUGAULI, PS- SUGAULI, DISTT- EAST CHAMPARAN
4. SAHIL MIYAN SON OF GAMA MIYAN RESIDENT OF VILLAGE- RAITOLA, NIMUI, ( NIMUI, PAWARIYATOLA), SUGAULI, PS- SUGAULI, DISTT- EAST CHAMPARAN
5. AFROZ MIYAN SON OF LATE MUSHLIM MIYAN RESIDENT OF VILLAGE- RAITOLA, NIMUI, ( NIMUI, PAWARIYATOLA), SUGAULI, PS- SUGAULI, DISTT- EAST CHAMPARAN
6. TABREZ MIYAN SON OF NEK MOHAMMAD MIYAN RESIDENT OF VILLAGE- RAITOLA, NIMUI, ( NIMUI, PAWARIYATOLA), SUGAULI, PS- SUGAULI, DISTT- EAST CHAMPARAN
7. ARNAAZ MIYAN @ ARANZE MIYAN SON OF NEK MOHAMMAD MIYAN RESIDENT OF VILLAGE- RAITOLA, NIMUI, ( NIMUI, PAWARIYATOLA), SUGAULI, PS- SUGAULI, DISTT- EAST CHAMPARAN
8. ZULKAAR NAIN @ SONU @ ZULKAR NAIN SON OF LATE SEIKH UMAR RESIDENT OF VILLAGE- RAITOLA, NIMUI, ( NIMUI, PAWARIYATOLA), SUGAULI, PS- SUGAULI, DISTT- EAST CHAMPARAN
9. ABID ALI SON OF LATE SEIKH UMAR RESIDENT OF VILLAGE- RAITOLA, NIMUI, ( NIMUI, PAWARIYATOLA), SUGAULI, PS- SUGAULI, DISTT- EAST CHAMPARAN
10. ISRAFIL MIYAN SON OF SHARIF MIYAN RESIDENT OF VILLAGE- RAITOLA, NIMUI, ( NIMUI, PAWARIYATOLA), SUGAULI, PS- SUGAULI, DISTT- EAST CHAMPARAN
11. MERAZ MIYAN SON OF ASLAM MIYAN RESIDENT OF VILLAGE- RAITOLA, NIMUI, ( NIMUI, PAWARIYATOLA), SUGAULI, PS- SUGAULI, DISTT- EAST CHAMPARAN
12. AFROZ MIYAN SON OF LATE SAAD MIYAN RESIDENT OF VILLAGE- RAITOLA, NIMUI, ( NIMUI, PAWARIYATOLA), SUGAULI, PS- SUGAULI, DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus



The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh  
For the Opposite Party/s : Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      04-07-2023      Heard the parties.

Vide order dated 12.05.2023, the bail application as against petitioner nos.2, 3, 6 and 7 was dismissed as withdrawn.

Now, this application is being heard with regard to petitioner nos.1, 4, 5, and 8 to 12 only.

The petitioners apprehends their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 332, 353, 427 of the Indian Penal Code.

The allegation against the petitioners is that they along with other accused persons assaulted the policemen and broke the glass of the vehicle of police.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that some of the co-



accused persons have been granted anticipatory bail by the learned Court below itself. Petitioner nos. 1 and 10 have criminal antecedent whereas the rest of the petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as there is general and omnibus allegation against the petitioners, let the above named petitioner nos.1, 4, 5, and 8 to 12 , be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sugauli P.S. Case No.02 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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