

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28378 of 2023

Arising Out of PS. Case No.-1089 Year-2022 Thana- TURKAULIYA District- East
Champaran

Sikandar Rai @ Skil Rai Son Of Jhagroo Ray @ Jhagaru Rai R/O Village-
Gokhula, P.S.- Banjariya, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Manish Kumar Singh, Advocate
For the State	:	Mr.Anil Kumar, APP
For the Informant	:	Mr.Ravindra Kumar, Advocate
		Mr.Sandeep Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Turkauliya (Banjariya) P.S. Case No. 1089/2022 registered for the offences punishable under Sections 341, 323, 307/34 of the Indian Penal Code and 27 of the Arms Act. He has no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant has alleged that on 15.11.2022 while he was going to sell the milk he received information from his villager that accused Uma Shankar Rai ploughing his field, thereafter he along with his brother went to his field and saw that petitioner and others were



ploughing his field, when he made objection then all the accused persons started firing. Accused persons assaulted him with butt of the gun on his head. The informant further alleged that he had purchased the said land from co-accused Uma Shankar Rai.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that there is no specific allegation against the petitioner of any overt act and there was a land dispute between the parties.

5. Learned counsel for the informant as well as learned A.P.P. for the State have opposed the prayer for anticipatory bail of the petitioner.

6. Having heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State and upon noticing that there is no specific allegation against the petitioner, the allegation against him is that he is harboring the interest of co-accused Uma Shankar Rai, petitioner is not having any criminal antecedent, in the circumstances, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five



thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkauliya (Banjariya) P.S. Case No. 1089/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

Rajeev/-

U		T	
---	--	---	--

