

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37089 of 2023

Arising Out of PS. Case No.-103 Year-2022 Thana- BITHAN District- Samastipur

SEIKH ATIKULLAH @ MD. ATIKULLAH S/O MD. NAJAM R/O Village.
Belaun, PS. Bithan, Dist. Samastipur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra
For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 354, 504 and 506/34 of the Indian Penal Code and later on added Section 386 of the Indian Penal Code which is pending in the learned court below.

3. As per the prosecution case, petitioner is said to have assaulted informant and her children.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is land dispute between the parties. He submits that the petitioner and the informant are co-villagers. He further submits that there is case and counter case between the parties. He submits that petitioner has got no



criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail and submits that from bare perusal of the F.I.R. it appears that during course of investigation witnesses have stated that petitioner demanded extortion on the point of pistol and threatened the informant. Hence, he does not deserve bail.

6. Considering the aforesaid facts and circumstances and the fact that there is admitted land dispute between the parties and both parties are agnates, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Bithan P.S. Case No.103/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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