

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39348 of 2023

Arising Out of PS. Case No.-97 Year-2022 Thana- PURUSHOTTAMPUR District- West
Champaran

-
1. Sheikh Zikrullah @ Zikrullah Son Of Mohammad Ali Resident Of Village - Bherihari, P.S. - Purushottampur, Distt. - West Champaran
 2. Sheikh Safaitullah @ Md. Safaytullah Son Of Mohammad Ali Resident Of Village - Bherihari, P.S. - Purushottampur, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in Purushottampur P.S. Case No. 97 of 2022 registered for the offences punishable under Sections 147, 148, 149, 323, 224, 225, 332, 333, 337, 338, 353 of the Indian Penal Code pending in the Court of learned Judicial Magistrate-Ist Class, Bettiah District-West Champaran.

3. As per the prosecution case, the police force conducted a raid, and they had arrested one Abdullah, however, in the meantime, 22 F.I.R. named accused persons 40-45 unknown persons had arrived there including these



petitioners and it is alleged that they had started pelting stones and creating ruckus whereupon they had succeeded in setting free the aforesaid Abdullah, from police custody.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific allegation against the petitioners. Similarly situated co-accused have been enlarged on anticipatory bail vide order dated 18.05.2023 passed in Cr. Misc. No. 8521 of 2023. The petitioners have no criminal antecedents mentioned in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the petitioners are also involved in the present case. Hence, they do not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek



regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

anand/-

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

