

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48747 of 2023

Arising Out of PS. Case No.-331 Year-2021 Thana- BAJPATTI District- Sitamarhi

Dilnwaj Shekh @ Dilnawaz Sheikh, S/O Nasir Sheikh, R/O Village- Muraul,
P.S- Bajpatti, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2023 1. Heard learned Counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending arrest in connection
with Bajpatti P.S. Case No.331/2021 registered on 21.11.2021
for the offences punishable under Sections 435, 436, 427, 34 of
the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged
against five named accused persons, including the petitioner to
the effect that they have put the car of the informant on fire
causing a loss to the tune of Rs.5,00,000/-.

4. It is submitted by learned counsel for the petitioner
that the petitioner is innocent and has committed no offence. As
per the content of the FIR, it transpires that there is nothing
against the petitioner. The present case has been lodged only to



put pressure upon the petitioner to compromise the earlier criminal case lodged by his mother Bajpatti P.S. Case No. 397/2020 against the present informant. Moreover, similarly situated co-accused, namely, Fekan Safi @ Mahiuddin Safi has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 19.01.2023 passed in Criminal Miscellaneous No. 51928 of 2022. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the facts and circumstances, let the above-named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Pupri at Sitamarhi in connection with Bajpatti P.S. Case No.331/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

Ashwini/-

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