

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71456 of 2022

Arising Out of PS. Case No.-281 Year-2022 Thana- KESARIA District- East Champaran

1. Sheikh Asadullah S/O Late Sheikh Abdul Ajim Resident Of Village- Rampur, P.S.- Kesariya, District- West Champaran.
2. Mohmad Wais S/O Sheikh Asadullah Resident Of Village- Rampur, P.S.- Kesariya, District- West Champaran.
3. Mohmad Rashid S/O Sheikh Asadullah Resident Of Village- Rampur, P.S.- Kesariya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-03-2023 Learned counsel for the petitioners filed a supplementary affidavit in the Court today.

Let it be kept on the record.

Heard learned counsel for the petitioners and learned APP for the State assisted by learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 419, 420, 467, 468, 471, 504, 506 and 34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, the petitioners in furtherance of common intention have committed forgery for



the purpose of cheating to grab the property of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioners. He submits that there is admitted land dispute between the parties. He further submits that petitioner no.1 is aged about 82 years. He further submits that petitioner no.1 has got two criminal antecedent, petitioner no.2 who have got one criminal antecedent and petitioner no.3 has got no criminal antecedent as stated in para-3 of the bail application and in the supplementary affidavit filed by the learned counsel for the petitioners.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the allegation levelled as the petitioners is serious in nature. Hence, they do not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner nos. 2 & 3 on bail in connection with Kesariya P.S. Case No. 281 of 2022. Accordingly, their prayer for anticipatory bail is hereby rejected.

Considering the age of the petitioner no.1, let the petitioner no.1, 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 Kesariya P.S. Case No.281 of 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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