

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.99 of 2023**

Arising Out of PS. Case No.-242 Year-2020 Thana- SIKARPUR District- West Champaran

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1. SHAIKH KHURSHED @ SK. KHURSHID Son of Late Shaikh Shamsul @ Late Sk. Shamshool Resident of Village - Nautanwa, Police Station - Shikarpur, District - West Champaran at Bettiah.
2. Shaikh Anwar @ Anwar Shekh Son of Late Shaikh Shamsul @ Late Sk. Shamshool Resident of Village - Nautanwa, Police Station - Shikarpur, District - West Champaran at Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Mrityunjay Kumar  
For the Opposite Party/s : Mr.Pranav Kumar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      27-03-2023                      Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

At the very outset, the learned counsel for the petitioner has submitted that in the prayer portion of this petition, in place of “year 2020”, it has wrongly been typed as “year 2022” and has made a request to rectify the same.

The learned counsel for the petitioner is permitted to make necessary correction in the prayer portion of this petition, in course of the day.

The petitioners are seeking regular bail in connection with Shikarpur P.S. Case No. 242 of 2020, registered for the



offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307 of the Indian Penal Code and Section 27 of Arms Act.

As per allegation, when the informant went to the house of Suresh Pandit to demand his dues for diesel supply, the named accused persons encircled him. Petitioner no. 1 inflicted *farsa* blow on his head and petitioner no. 2 inflicted *garrasa* blow on his left hand. Co-accused Seikh Mahtab assaulted him on his right hand.

The learned counsel for the petitioner has submitted that though the anticipatory bail of the petitioners was rejected by this Court, but they are under custody since 29.09.2022. There is case and counter case and the case lodged by the petitioners' side is prior to the present case. He has submitted further that there is long-drawn enmity between the parties regarding land dispute and the cases mentioned in paragraph no. 3 of the bail petition are between the parties.

Considering the above-mentioned facts and circumstances as well as the period of custody, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West



Champaran at Bettiah in connection with Shikarpur P.S. Case  
No. 242 of 2020, subject to the following conditions:

- (i) The petitioners shall cooperate in the  
disposal of trial and make themselves available  
as and when required by the court.
- (ii) If the petitioners are found involved in future in  
the similar type of offence, the prosecution will  
have liberty to file an application before the court  
below for cancellation of the bail of the  
petitioners and the learned court below will take  
decision in accordance with law.

**(Nawneet Kumar Pandey, J)**

Kundan/Nirmal

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