

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81116 of 2023

Arising Out of PS. Case No.-522 Year-2021 Thana- SIKARPUR District- West Champaran

1. AMIT PATEL @ AMIT KUMAR SON OF SUKAT PATEL @ SUKAT RAUT RESIDENT OF VILLAGE- D.K. SIKARPUR, P.S.- SIKARPUR, DISTRICT- WEST CHAMPARAN.
2. RAJU PATEL @ RAJULAL PATEL SON OF LATE RAGHUNATH PATEL RESIDENT OF VILLAGE- D.K. SIKARPUR, P.S.- SIKARPUR, DISTRICT- WEST CHAMPARAN.
3. CHANDAN KUMAR @ SUMIT PATEL SON OF SUKAT PATEL @ SUKAT RAUT RESIDENT OF VILLAGE- D.K. SIKARPUR, P.S.- SIKARPUR, DISTRICT- WEST CHAMPARAN.
4. MUSHTAK MIAN @ MUSTAK ALI SON OF MAHBOOB MIAN RESIDENT OF VILLAGE- D.K. SIKARPUR, P.S.- SIKARPUR, DISTRICT- WEST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta, Adv.
For the Opposite Party/s : Mr.Kanhiya Kishor, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 171(F), 504, 34 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, all the accused persons including these petitioners were distributing liquor and money to the voters and when the informant and others objected, they



abused and damaged a motorcycle, which belongs to Rahul Kumar Jaiswal.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Both the parties are co-villagers. Similarly situated co-accused have been enlarged on bail by this court vide order dated 04.12.2023 passed in Cr. Misc. No. 74657 of 2023. Petitioners nos. 1 to 3 have one criminal antecedent, whereas petitioner no.4 has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners and similarly situated co-accused have been granted anticipatory bail, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned



lower Court where the case is pending/successor Court in connection with Sikarpur P.S. Case No. 522 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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