

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 81525 of 2023

Arising Out of PS. Case No.-598 Year-2023 Thana- SIKARPUR District- West Champaran

1 Imran @ Shamim Raja, aged about 35 years (M), son of Manjur Hassan @ Manjur Hasan
2 Guddu Sheikh @ Jeeshan Ahmad, aged about 35 years (M), son of Tahkil Ahmad @ Taukil Ahmad,
3 Badal @ Faisal Kafil, aged about 28 years (M), son of late Munna Sheikh @ Kafil Ahmad, all residents of Village – Nautanwa, PS – Shikarpur, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

WITH
CRIMINAL MISCELLANEOUS No 80320 of 2023

Arising Out of PS. Case No.-598 Year-2023 Thana- SIKARPUR District- West Champaran

Bhola Shaikh @ Bhola Dealer, about 60 Y/M, son of late Monaf @ Monaf Shaikh, resident of village – Nautanwa, PS – Shikarpur, District – West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 81525 of 2023)

For the Petitioner/s : Mr Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr Umesh Lal Verma, APP

(In CRIMINAL MISCELLANEOUS No 80320 of 2023)

For the Petitioner/s : Mr Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr Md Shakir Ahmad, APP

For the Informant : Mr Gorishanker Thakur, Advocate

CORAM: HONOURABLE MR JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 29-02-2024 Heard learned counsel appearing on behalf of the parties.

2 The petitioners seek bail in connection with Shikarpur PS Case No 598 of 2023 dated 17.07.2023 initially registered for the offence punishable under Sections 147, 148, 149, 447, 341, 323, 324, 307, 504, 506 of the IPC and Sections



27, 25 (1-B) A, 26, 30, 35 of the Arms Act but subsequently added with Section 302 of the IPC.

3 Perused the First Information Report, seizure list and impugned order. It appears that petitioner Bhola Shaikh @ Bhola Dealer is not named in the FIR. His name surfaced from the statement of Shadab Raza after seven days of the incident. From perusal of the entire FIR and impugned order, it appears that there is case and counter case between the parties. No specific allegation has been levelled against the petitioners and in the impugned order, it is stated that the death of deceased was caused by firearm but there is no allegation against the petitioners of firing on the deceased.

4 Learned APP has opposed the prayer for bail.

5 Considering the facts and circumstances and submissions made on behalf of the petitioners, let the petitioners above named be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of CJM, West Champaran at Bettiah in Shikarpur PS Case No 598 of 2023.

(Ramesh Chand Malviya, J)

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