

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36645 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- BALTHAR District- West Champaran

1. Sheikh Samiullah @ Md. Samiullah S/o- Late Sheikh Azim @ Late Shekh Azij Village- Narkatia Ps- Purushottampur, Dist- West Champaran
2. Sheikh Rehan @ Rehan Iqbal S/o- Sheikh Kayum Village- Narkatia Ps- Purushottampur, Dist- West Champaran
3. Sheikh Mintu @ Mintu S/o- Sheikh Anarul Village- Narkatia Ps- Purushottampur, Dist- West Champaran
4. Sheikh Soyeb @ Md. Soyeb S/o- Late Sheikh Malang Village- Narkatia Ps- Purushottampur, Dist- West Champaran
5. Sheikh Jobair @ Zobair Alam S/o- Late Sheikh Gulli Village- Narkatia Ps- Purushottampur, Dist- West Champaran
6. Sheikh Lalbabu @ Md. Shahabuddin S/o- Sheikh Latiullah Village- Narkatia Ps- Purushottampur, Dist- West Champaran
7. Md. Anjar @ Md. Abid S/o- Sheikh Osi Village- Narkatia Ps- Purushottampur, Dist- West Champaran
8. Md. Jabbar @ Md. Asif S/o- Sheikh Osi Village- Narkatia Ps- Purushottampur, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Advocate
		Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s	:	Mr. Pawan Kumar Chaurasia, APP
For the Informant	:	Mr. Ram Adya Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-09-2025 Heard Mr. Umesh Chandra Verma, learned counsel

for the petitioner and the State and learned counsel for the

informant.

2. The petitioners apprehend their arrest in connection

with Balthar P.S. FIR No. 31 of 2025 for the offence registered

under sections 191(2), 191(3), 190, 324(4), 126(2), 115(2),



118(1), 109, 303(2), 352, 351(2) of the B.N.S. and 27 of the Arms Act lodged on 09.03.2025 by the informant, Junaid Alam.

3. As per the prosecution story, the informant alleged that the accused persons named above along with unknown on the point of land dispute resorted to assault. The allegation against one Rehan is of giving knife blow in the neck of the informant who was also assaulted on the head. The uncle Motiur Rahman was brutally assaulted by the accused persons as also allegation of assault is on other family members, this led to the FIR.

4. In this case, the Co-ordinate Bench had also called for the case diary and injury report which is/are now available on record.

5. Learned Counsel for the petitioners submit that so far as the injuries inflicted by Sheikh Rehan is concerned, the same is not on record but the other injury reports are there which shows that it is simple in nature. There is case and counter case between the parties and these petitioners do not have criminal antecedent.

6. Learned counsel for the informant on the other hand, opposes the prayer for anticipatory bail submitting that they are aggressor and have assaulted number of persons from



the informant side.

7. Taking into account the allegation that has come against the petitioner no. 2 Sheikh Rehan @ Rehan Iqbal of inflicting knife blow on the neck of the informant, no relief can be granted. His anticipatory bail application stands rejected.

8. So far as the petitioner no. 1, Sheikh Samiullah @ Md. Samiullah, petitioner no. 3, Sheikh Mintu @ Mintu, petitioner no. 4, Sheikh Soyeb @ Md. Soyeb, petitioner no. 5, Sheikh Jobair @ Zobair Alam, petitioner no. 6, Sheikh Lal Babu @ Md. Shahabuddin, petitioner no. 7, Md. Anjar @ Md. Abid, petitioner no. 8, Md. Jabbar @ Md. Asif are concerned, taking into account the omnibus allegation of assault is there, injuries have been found to be simple in nature and they do not have criminal antecedent, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

9. Let the petitioner no. 1, Sheikh Samiullah @ Md. Samiullah, petitioner no. 3, Sheikh Mintu @ Mintu, petitioner no. 4, Sheikh Soyeb @ Md. Soyeb, petitioner no. 5, Sheikh Jobair @ Zobair Alam, petitioner no. 6, Sheikh Lal Babu @ Md. Shahabuddin, petitioner no. 7, Md. Anjar @ Md. Abid, petitioner no. 8, Md. Jabbar @ Md. Asif in the event of arrest or surrender within a period of four weeks from the date of receipt



of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bettiah, West Champaran in connection with Balthar P.S. FIR No. 31 of 2025, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner no. 1, Sheikh Samiullah @ Md. Samiullah, petitioner no. 3, Sheikh Mintu @ Mintu, petitioner no. 4, Sheikh Soyeb @ Md. Soyeb, petitioner no. 5, Sheikh Jobair @ Zobair Alam, petitioner no. 6, Sheikh Lal Babu @ Md. Shahabuddin, petitioner no. 7, Md. Anjar @ Md. Abid, petitioner no. 8, Md. Jabbar @ Md. Asif who shall provide official document to show his *bona fide*;

(ii) the petitioner no. 1, Sheikh Samiullah @ Md. Samiullah, petitioner no. 3, Sheikh Mintu @ Mintu, petitioner no. 4, Sheikh Soyeb @ Md. Soyeb, petitioner no. 5, Sheikh Jobair @ Zobair Alam, petitioner no. 6, Sheikh Lal Babu @ Md. Shahabuddin, petitioner no. 7, Md. Anjar @ Md. Abid, petitioner no. 8, Md. Jabbar @ Md. Asif shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail



cancellation of his bail bond by the Trial court itself;

(iii) the petitioner no. 1, Sheikh Samiullah @ Md. Samiullah, petitioner no. 3, Sheikh Mintu @ Mintu, petitioner no. 4, Sheikh Soyeb @ Md. Soyeb, petitioner no. 5, Sheikh Jobair @ Zobair Alam, petitioner no. 6, Sheikh Lal Babu @ Md. Shahabuddin, petitioner no. 7, Md. Anjar @ Md. Abid, petitioner no. 8, Md. Jabbar @ Md. Asif shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner no. 1, Sheikh Samiullah @ Md. Samiullah, petitioner no. 3, Sheikh Mintu @ Mintu, petitioner no. 4, Sheikh Soyeb @ Md. Soyeb, petitioner no. 5, Sheikh Jobair @ Zobair Alam, petitioner no. 6, Sheikh Lal Babu @ Md. Shahabuddin, petitioner no. 7, Md. Anjar @ Md. Abid, petitioner no. 8, Md. Jabbar @ Md. Asif shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner no. 1, Sheikh Samiullah @ Md. Samiullah, petitioner no. 3, Sheikh Mintu @ Mintu, petitioner no. 4, Sheikh Soyeb @ Md. Soyeb, petitioner no. 5, Sheikh Jobair @ Zobair Alam, petitioner no. 6, Sheikh Lal Babu @ Md.



Shahabuddin, petitioner no. 7, Md. Anjar @ Md. Abid,
petitioner no. 8, Md. Jabbar @ Md. Asif shall desist from
committing any criminal offence again failing which the State
shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Raj Ranjan/-

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