

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10440 of 2020

Arising Out of PS. Case No.-249 Year-2019 Thana- SISWAN District- Siwan

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1. Noor Alam Khan (Male) aged about 50 years, S/o Late Rafi Khan
 2. Chand Khan (M) aged about 22 years , S/o Noor Alam Khan
Both are resident of Village - Chainpur, P.S.- Siswan (Chainpur O.P.),
District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udit Narain Singh
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-06-2020 Heard Mr. Udit Narain Singh, learned counsel for the

petitioners and Mr. Md. Sufyan, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioners apprehend arrest in connection with

Siswan (Chainpur O.P.) P.S. Case No. 249 of 2019 registered

for the offence punishable under Section 341, 323, 307, 447,

504/34 of the I.P.C.

The allegation against the petitioners is that on the

date of occurrence the petitioners along with other accused

persons, eight in number, entered into the house of the informant

and assaulted the family members of the informant. It has

further been alleged that one Sanjar Khan assaulted the brother



of the informant Shaukat Hussain by means of *Axe* on his head.

Learned counsel for the petitioners submits that there is case and counter case and both the parties are neighbours. Learned counsel further submits that a counter case has also been lodged by the side of the petitioners against the informant and others for an incident which has taken place on the same date bearing Siswan (Chainpur OP) P.S. Case No. 248 of 2019. Learned counsel further submits that there is general and omnibus allegation against the petitioners and specific allegation of assault is upon one Sanjar Khan.

Having regard to the submissions made by the parties and taking into consideration the fact that both the parties are neighbours, there is case and counter case and the allegation against the petitioners are general and omnibus in nature, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Siwan in connection with Siswan (Chainpur O.P.) P.S. Case No. 249 of 2019, subject to the condition as laid down under Section



438 (2) of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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