

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10028 of 2020

Arising Out of PS. Case No.-97 Year-2019 Thana- HASPURA District- Aurangabad

1. KALIM KHAN Son of Shalik Dar Resident of Village - Halimchak, P.S.- Haspura, District- Aurangabad
2. Shakil Khan @ Newari Khan @ Newaji Khan Son of Shalik Dar Resident of Village - Halimchak, P.S.- Haspura, District- Aurangabad
3. Halim Khan Son of Kalim Khan Resident of Village - Halimchak, P.S.- Haspura, District- Aurangabad
4. Aklim Khan Son of Kalim Khan Resident of Village - Halimchak, P.S.- Haspura, District- Aurangabad
5. Anwar Khan Son of Kalim Khan Resident of Village - Halimchak, P.S.- Haspura, District- Aurangabad
6. Sadam Khan Son of Khalil Khan Resident of Village - Halimchak, P.S.- Haspura, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-03-2020 At the outset, the learned counsel for the petitioners seeks to withdraw the present petition *qua* the petitioners no. 1 and 3.

Accordingly, the present petition *qua* the petitioners no. 1 and 3 stands disposed off as not pressed, however with liberty to the petitioners no. 1 and 3 to surrender before the learned court below and seek regular bail.

Heard the learned counsel for the petitioners and the



learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Haspura case no. 97 of 2019 registered for the offences punishable under Sections 341, 147, 149, 307, 504, 436, 427 of Indian Penal Code.

The case of the prosecution is that the accused persons had entered the house of the informant, whereafter they had abused the informant and assaulted her as also had assaulted her husband and others.

The learned counsel for the petitioners has submitted that as far as petitioners no. 2 and 4 to 6 are concerned, a general and omnibus allegation has been levelled and some injuries sustained by the injured persons have been found to be simple in nature, however with regard to rest of the injuries, opinion has been reserved. It is further submitted that the petitioners no. 2 and 4 to 6 are having clean antecedent and they undertake to join investigation as also the ensuing trial, if any. Lastly, it is submitted that the present case arises out of case and counter case on account of family dispute amongst the agnates.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned



counsel for the petitioners, I deem it fit and appropriate to admit the petitioners no. 2 and 4 to 6 to the privilege of anticipatory bail. Accordingly, the petitioners no. 2 and 4 to 6, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar in connection with Haspura PS case no. 97 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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