

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13355 of 2020

Arising Out of PS. Case No.-129 Year-2019 Thana- SANGRAMPUR District- East
Champaran

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1. HEERA KHAN @ ZOBAIR ALAM Son of Ozair Alam Resident of Village - Dariyapur, P.S.- Sangrampur, Distt - East Champaran.
 2. Aarzoo Khan @ Mohsin Hayat Khan Son of Muntaha Khan Resident of Village - Dariyapur, P.S.- Sangrampur, Distt - East Champaran.
 3. Nabab Khan @ Aamir Khan Son of Ozair Alam Resident of Village - Dariyapur, P.S.- Sangrampur, Distt - East Champaran.
 4. Eklakh Khan @ Lucky Khan @ Iklok Khan Son of Sah Mohammad Resident of Village - Dariyapur, P.S.- Sangrampur, Distt - East Champaran.
 5. Wasi Khan @ Bhutu Khan @ Wasi Akram Khan Son of Akhlak Khan Resident of Village - Dariyapur, P.S.- Sangrampur, Distt - East Champaran.
 6. Naz Khan @ Rahat Khan @ Md. Rahat Khan Son of Akhlak Khan Resident of Village - Dariyapur, P.S.- Sangrampur, Distt - East Champaran.
 7. Nabab Khan @ Sahid Khan @ Shahid Khan Son of Ekhlak Khan Resident of Village - Dariyapur, P.S.- Sangrampur, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case



registered under Sections 341, 323, 324, 307, 354, 379, 384, 504 and 34 of the Indian Penal Code.

Allegedly, the accused persons having formed an unlawful assembly came at the land of the informant with weapons in their hands and gave iron rod blow twice on the head of the informant as a result of which, he sustained injury. The other persons from prosecution side are also said to have been assaulted.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. From perusal of order of learned Sessions Judge, it appears that the injuries are simple in nature. No offence u/S 307 of the Indian Penal Code is made out.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in



connection with Sangrampur P.S. Case No. 129 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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