

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31718 of 2020

Arising Out of PS. Case No.-138 Year-2020 Thana- BARHARIA District- Siwan

Arbaz Khan, Son of Late Nashir Khan, R/O Village - Siswa Paschim Tola,
P.S. - Barharia, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate.

For the Opposite Party/s : Mr. Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 03-12-2020 In view of the submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application through Video Conferencing, that he would remove the defect(s), as pointed out by the stamp reporter, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner is accused in connection with Barharia P.S. Case No. 138 of 2020, registered under Sections 147, 148, 149, 341, 323, 307, 379, 427 and 504 of the Indian Penal Code.

The accusation is that informant, Md. Sanaullah @



Ladan along with his family members was present at his door. At that time, Arbaz Khan (petitioner) along with his friends was moving by raising *Hullah*. When the informant made objection saying that this is the prayer time then they threatened him to teach lesson. After some time, petitioner along with seven others named in the FIR and 10 to 15 unknown having lathi, stick, road and hockey came there and started to abuse. When the informant made protest then they pulled him on road and started to cause assault through lathi, stick and rod. At that time, petitioner gave rod blow causing injury at his head and Javed snatched his gold chain and cash of Rs.5000/-. In the meantime, Imran and Irfan damaged his tractor through lathi and thereafter, all moved from there giving threatening to implicate him in false case.

Learned counsel for the petitioner submits that occurrence took place due to petty dispute but due to dirty village politics the present case has been lodged with false allegation. Further submission is that petitioner has no criminal antecedent and is in custody since 26.06.2020.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the Chief Judicial Magistrate, Siwan, in connection with Barharia P.S. Case No. 138 of 2020. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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