

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22709 of 2021

Arising Out of PS. Case No.-344 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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1. MUSTAFA KAMAL S/o Sukat Mian Resident of Kila Muhalla, P.S.- Bettiah Town (Kalibag O.P.), District- West Champaran
 2. AASIF @ ASIF AFROZ S/O SUKAT MIAN Resident of Kila Muhalla, P.S.- Bettiah Town (Kalibag O.P.), District- West Champaran
 3. RAJ @ MD RAJ @ MD YUSUF S/O LATE CHHOTE MIAN Resident of Dwardevi Chowk, Ward No. 16, P.S.- Bettiah Town, District- West Champaran

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar

For the Opposite Party/s : Mr. N. Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 13-04-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

The petitioners are apprehending their arrest in a case
registered under Sections 341, 323, 324, 307, 379, 504 and 34 of
the Indian Penal Code.

The prosecution allegation, in short, is that the accused
persons assaulted the informant and family members due to
which they sustained injuries.

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. The petitioners have falsely been implicated in the present case. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

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

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah,, West Champaran in connection with Bettiah Town (Kalibag O.P.) P.S. Case No. 344 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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