

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39569 of 2021

Arising Out of PS. Case No.-48 Year-2020 Thana- RAJEPUR District- East Champaran

1. GUL MOHAMMAD @ GUL MOHAMMAD MIYAN Son of Late Niyamat Miyan Resident of Village- Mathiya, Police Station- Rajepur, District- East Champaran.
2. Firoj Miyan @ Md. Firoj Son of Gul Mohammad Miyan @ Gul Mohammad Resident of Village- Mathiya, Police Station- Rajepur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anamul Haque
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 02-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Rajepur P.S. Case no. 48 of 2020 instituted for the offence under Sections 147, 341, 323, 324, 307, 354B, 379, 504 and 506 of the Indian Penal Code.

As per allegation in the FIR, when the husband of the informant was coming towards his home, petitioner no. 1



assaulted him by giving farsa blow in his head at the instigation of co-accused Usman Miyan. On hearing the hulla, informant case there for rescue then she was also assaulted by them and they also tried to outrage her modesty and snatched her ornaments.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. They have got no criminal antecedent. There is case and counter case between the parties. Omnibus and general allegations are levelled against the petitioners. He has got no criminal antecedent. Injuries received by the informant and her husband are simple in nature.

Learned APP appearing for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Rajepur P.S. Case no. 48 of 2020, he will be enlarged 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 learned Judicial Magistrate, 1st Class Motihari,
East Champaran subject to the conditions as laid down under
section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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