

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39881 of 2020

Arising Out of PS. Case No.-86 Year-2020 Thana- MIRGANJ District- Gopalganj

1. AFROZ KHAN Son of Roshan khan @ M. Roshan Khan Resident of Village - Ametha Khem, P.S.- Mirganj, Distt.- Gopalganj.
2. FIROZ KHAN Son of Roshan Khan @ M. Roshan Khan Resident of Village - Ametha Khem, P.S.- Mirganj, Distt.- Gopalganj.
3. PARWEZ ALAM @ PRAWAJ ALAM Son of Roshan Khan @ M. Roshan Khan Resident of Village - Ametha Khem, P.S.- Mirganj, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners 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 petitioners apprehending their arrest in connection with Mirganj P.S. Case no. 86 of 2020 instituted for the offence under Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code.

As per allegation in the FIR, when the son of the



informant came to know by Amin during land measurement that five feet of his land is in possession of his neighbour Asraf Khan, he informed the same to Asraf Khan upon which he became violent and started to assault him by fists and slaps. All the accused persons including the petitioners went to his house and assaulted the informant on his head by tangi resulting into his head injury and he fell down. Petitioner no. 2 snatched Rs. 2000/- cash from his pocket.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. There is case and counter case. Allegation against petitioner no. 1 is of assaulting to the son of the informant, who has received simple injury. There is no specific allegation of assault against petitioner nos. 2 and 3. Allegation levelled against all the petitioners are general and omnibus in nature. They have no criminal antecedent.

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 petitioners on bail. The petitioners are directed to surrender in the Court below within a



period of four weeks from today and in the event of their arrest or surrender in connection with Mirganj P.S. Case no. 86 of 2020, they 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 A.C.J.M. 16th, Gopalganj subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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