

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5909 of 2021

Arising Out of PS. Case No.-54 Year-2020 Thana- KEWATI District- Darbhanga

1. Sharib Khan @ Sonu Khan Son Of Tufail Ahmed Khan @ Munna Khan
Resident Of Village - Lahwar, P.S.- Keoti, Dist.- Darbhanga.
2. Sakib Anwar Khan @ Amir Raza Khan Tufail Ahmed Khan @ Munna Khan
Resident Of Village - Lahwar, P.S.- Keoti, Dist.- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Iqbal Asif Niazi, Advocate
For the State	:	Mr.APP
For the informant	:	Mr. Jawed Gaffar Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-08-2021 Heard learned counsel for the petitioners, learned

APP for the State and learned counsel for the informant through

virtual mode.

Counsel for the petitioners is directed to remove the

defect(s), as pointed out by the office, within a period of four

weeks from the date of restoration of normalcy.

The petitioners are apprehending their arrest in

connection with Keoti P.S. case No.54 of 2020 registered under

Sections 147, 148, 149, 341, 323, 324, 307, 448, 380, 326(A) of

the Indian Penal Code and 27 of the Arms Act.

Allegation is that the petitioner No.1 fired on the

informant, which crossed by touching his head and petitioner



No.2 assaulted the wife of the informant with iron rod, due to her finger had fractured.

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. After investigation, the case under Section 307 of I.P.C. was found to be false. The nature of injury is said to be simple. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

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

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned A.C.J.M.-7, Darbhanga in connection with Keoti P.S. case No.54 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

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

(Sudhir Singh, J)

Narendra/-

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