

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11764 of 2021

Arising Out of PS. Case No.-265 Year-2020 Thana- KHAGARIA District- Khagaria

MD MINHAJ @ MINHAJ @ MINHAJ AHMAD, S/o SAIYAD RIYAZ
AHMED Resident of Village- Jalkoura, P.S.- Khagaria (Gangour), Distt-
Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nasim Yahya

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-02-2022 Heard Mr. Nasim Yahya, learned Advocate for the

petitioner and Ms. Veena Kumari Jaiswal, learned APP for

the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Khagaria (Gangour) P. S. Case No.
265 of 2020, G.R. No. 976 of 2020, instituted for the
offences under Sections 147, 148, 149, 323, 506, 504, 379
and 307 of the Indian Penal Code and Section 27 of the
Arms Act, 1959.

It has been submitted that 18 persons have been
made accused in this case.

On the orders of one Jiyaar Rahman, Khalikur



Rahman is said to have assaulted the informant on his head which caused grievous injuries to him. When the brother of the informant, namely, Md. Minna came to his rescue, he too was assaulted by the petitioner by means of an iron rod.

The learned Advocate for the petitioner has submitted that apart from the petitioner being named in the F.I.R., no specific accusation has been levelled against him.

Apart from this, it has been submitted that Khalikur Rahman has also filed a case against the informant and others *vide* Khagaria (Gangaur) P. S. Case No. 266 of 2020.

An occurrence took place at the time of construction over a plot of land in which many persons have been made accused in this case.

The petitioner as well as the informant are neighbours and only because an occurrence took place, all the persons who were from either of the side have been made accused in respective cases.

The petitioner does not have criminal antecedents.

Some of the other accused persons of this case



have been granted anticipatory bail by this Court vide order dated 07.04.2021 passed in Cr. Misc. No. 36095 of 2020.

Regard being had to the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, in connection with Khagaria (Gangour) P. S. Case No. 265 of 2020, G.R. No. 976 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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