

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9819 of 2022

Arising Out of PS. Case No.-59 Year-2021 Thana- DAWATH District- Rohtas

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1. CHANDU KHAN SON OF ISRAR KHAN R/O VILLAGE- KOATH, P.S.- DAWATH, DISTRICT- ROHTAS
 2. AABID KHAN SON OF MOGAL KHAN R/O VILLAGE- KOATH, P.S.- DAWATH, DISTRICT- ROHTAS
 3. SHAIKHU KHAN @ SONU KHAN @ SONU SON OF SITAB KHAN R/O VILLAGE- KOATH, P.S.- DAWATH, DISTRICT- ROHTAS
 4. AFROZ MANSOORI SON OF KALIM ANSARI R/O VILLAGE- KOATH, P.S.- DAWATH, DISTRICT- ROHTAS

... .. Petitioner/s

Versus

THE STATE OF

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 08-09-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the outset, learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail application, petitioner no.3 has been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner no.3.

In view of the aforesaid submission, the application is **dismissed as withdrawn as having become infructuous as**



against petitioner no.3.

Petitioner nos. 1, 2 and 4 apprehend their arrest for the offences alleged under Sections 147, 148, 149, 379 and 307 of the Indian Penal Code, registered in connection with Dawath P.S.Case No. 59 of 2021.

As per allegation, the marriage ceremony of cousin sister of the informant was going on. His nephew Golu Kumar was serving meal to members of the Baarat. Thereafter, he went to serve meal to female members of his house. In the meantime, the accused persons including the petitioners assaulted Golu Kumar and made him injured.

Learned counsel for the petitioners has submitted that petitioners are innocent and have falsely been implicated in this case. Both the parties are co-villagers. As a matter of fact, the members of the prosecution side by flouting norms and guidelines of the lock-down had organized an orchestra, to which the petitioners prohibited and due to which they have falsely been arrayed as accused in this case. Petitioners are persons of clean antecedent.

Considering the above facts and circumstances, let petitioner nos. 1, 2 and 4, above-named, in the event of their arrest or surrender within four weeks from the date of



communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-I, Rohtas at Sasaram in connection with Dawath P.S.Case No. 59 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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