

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10352 of 2022

Arising Out of PS. Case No.-1 Year-2015 Thana- KANGLI District- West Champaran

1. Monab Khan Son Of Jamil Khan Resident Of Village - Sabaithwa, P.S. - Kangali, District - West Champaran.
2. Naimul Khan Son Of Late Ejajul Khan Resident Of Village - Rasanpur, P.S. - Warisaliganj, District - Nawada.
3. Taj Khan Son Of Jamil Khan Resident Of Village - Rasanpur, P.S. - Warisaliganj, District - Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta
For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-11-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Today, learned counsel for the petitioners has filed a
supplementary affidavit in court.

Let it be kept on record.

Learned counsel for the petitioners undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 147, 148,



149, 332, 353, 324 of the Indian Penal Code.

Petitioners along with other co-accused persons are said to have abused the threatened the informant as well as head-master of the school.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is no specific allegation attributed against the petitioners. He further submits that similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 31.03.2022 passed in Cr. Misc. No. 34532 of 2021. He submits that the officer in charge after investigation submitted final form and learned court below has taken cognizance on 09.06.2015 under Section 147, 148, 149, 353, 332 and 324 of the Indian Penal Code. In the supplementary affidavit, it is mentioned that in para-1 of the main petition Section 307 of the I.P.C. is left out. He further submits that petitioner no.1 have two criminal antecedents and petitioner no.2 & 3 have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case as



well as the fact that similarly situated other co-accused have already been granted anticipatory bail by the coordinate bench of this court, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kangali P.S. Case No. 01 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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