

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29037 of 2021

Arising Out of PS. Case No.-282 Year-2018 Thana- BAGHA District- West Champaran

1. Azad Khan Son of Late Rahamatullah Khan Resident of Village - Narayanapur, Police Station - Bagaha (Pathkhauli O.P.), District - West Champaran.
2. Eklakh Khan Son of Azad Khan Resident of Village - Narayanapur, Police Station - Bagaha (Pathkhauli O.P.), District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2
For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-07-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Bagaha Patkhauli P.S. Case No.282 of 2018, registered for the offences punishable under Sections 341, 323, 324, 354, 379, 504 and 34 of the Indian Penal Code.

The prosecution case, in brief, is that on 14.06.2018 at about 2.30 p.m., the informant was at her darwaza. The petitioners along with other co-accused persons came and started abusing and assaulting the informant. Azad Khan, petitioner no.1 is said to have assaulted the informant by means of *farsa* on her head causing injury on nose. Petitioner No.2,



Eklakh Khan and other co-accused persons are said to have assaulted the informant by means of *lathi* and *danda* causing injuries on back portion of head, back and chest. Eklakh Khan is also said to have made the informant half naked and co-accused, Bablu Khan snatched the chain made of silver from the informant.

Learned counsel for the petitioners submits that petitioner are innocent and have falsely been implicated in this case. It is further submitted that due to village politics, the petitioners have been made accused in the present case. The injury report (Annexure-3) shows that the injuries are simple in nature. It is lastly submitted that the petitioners have got two criminal antecedents as stated in paragraph-3 of the bail application.

The learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Taking into consideration the fact that the injuries are simple in nature, let petitioners, above named, 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 learned Additional Chief Judicial Magistrate,
Bagaha, West Champaran in connection with Bagaha Patkhauli
P.S. Case No.282 of 2018, subject to the conditions laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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