

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31209 of 2021

Arising Out of PS. Case No.-293 Year-2020 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Azaz Ali @ Azaz Ahamad Son of Shamsher Miya Resident of Village-
Pipra, P.S.- G. B. Nagar, District- Siwan.
 2. Shahid Shams @ Shahid Ali Son of Shamsher Miya Resident of Village-
Pipra, P.S.- G. B. Nagar, District- Siwan.
 3. Sarwal Alam @ Sharwar Ali @ Sharwal Ahamad Son of Aliakhtar Resident
of Village- Pipra, P.S.- G. B. Nagar, District- Siwan.
 4. Aflatoon Alam Son of Khalil Miya Resident of Village- Pipra, P.S.- G. B.
Nagar, District- Siwan.
 5. Afrose Ali @ Afrose Alam Son of Khalil Miya Resident of Village- Pipra,
P.S.- G. B. Nagar, District- Siwan.
 6. Nafees Ahmad Son of Allaiddin Miya Resident of Village- Pipra, P.S.- G.B.
Nagar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Lalan Kumar
For the Opposite Party/s :	Mr. Nityanand
	Mr. Ajay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-01-2022 Heard learned counsel for the parties through virtual
court proceedings.

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

Petitioners apprehend their arrest in G.B. Nagar P.S.



Case No.293 of 2020, registered for the offences punishable under Sections 341, 323, 307, 147, 149, 504 and 506 of the Indian Penal Code.

The petitioners are said to have assaulted the elder brother of the informant by means of rod on the head causing injury in his head.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. There is general and omnibus allegation against the petitioners. The specific allegation is against co-accused, Irfan and Nasir Ali. It is further submitted that later on it is alleged that all the petitioners assaulted the elder brother of the informant. It is also submitted that petitioners no.1, 2, 4, 5 and 6 have got no criminal antecedent and petitioner no.3 has got one criminal antecedent in which petitioner no.3 is on bail.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners and submitted that there is specific allegation against all the petitioners. The elder brother of the informant was firstly brought to Sadar Hospital, Siwan and thereafter he was referred to PMCH for better treatment. It is also submitted that learned counsel for the informant produced the injury report before the



learned court below, which is mentioned in the impugned order.

Taking into consideration the facts aforesaid, let petitioners, above named, in the event of their arrest or surrender before the learned court below within 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 Chief Judicial Magistrate, Siwan in connection with G.B. Nagar P.S. Case No.293 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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