

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70049 of 2021

Arising Out of PS. Case No.-365 Year-2021 Thana- KESARIA District- East Champaran

1. NAZ AHMAD KHAN @ PAPPU KHAN Son of Manir Ahmad Khan Resident of Village- Bairiya, P.S.- Kesariya, District- East Champaran.
2. Neyaz Ahmad Khan Son of Manir Ahmad Khan Resident of Village- Bairiya, P.S.- Kesariya, District- East Champaran.
3. Ayub Khan @ Guddu Khan Son of Zaheer Khan Resident of Village- Bairiya, P.S.- Kesariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 25725 of 2022

Arising Out of PS. Case No.-365 Year-2021 Thana- KESARIA District- East Champaran

WASIM AKRAM KHAN SON OF BASIT KHAN @ ABDUL BASIT KHAN R/O- KUNDWA, WARD NO.-7, P.S.- KESARIYA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 70049 of 2021)

For the Petitioner/s : Mr.Md. Anisur Rahman

For the Opposite Party/s : Mr.Mohammed Arif

(In CRIMINAL MISCELLANEOUS No. 25725 of 2022)

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 26-09-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the



learned APP, Md. Arif for the State.

The petitioners apprehend their arrest in connection with Kesariya P.S. Case No. 365 of 2021, registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 353, 188, 189, 504, 506 and 120(B) of the Indian Penal Code.

As per allegation, at the occasion of Panchayat Election, there was altercation in two groups and both the groups assaulted each other by *lathi*, *danda*, etc. They flouted the norms of Code of Conduct. Some police personnel also sustained injuries.

Learned counsel for the petitioners has submitted that there was some altercation between two groups due to Panchayat Election, but the reality is that the police assaulted the petitioners and they were treated in hospital.

On the other hand, the learned Addition APP has opposed the prayer for bail and submitted that petitioners did not stop the scuffle even after arrival of police personnel and in their presence, they continued their altercation.

It is a case of free fight between two groups. The petitioners have also sustained injuries.

Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, 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 C.J.M. I/C East Champaran, Motihari in connection with Kesariya P.S. Case No. 365 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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