

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37948 of 2021

Arising Out of PS. Case No.-261 Year-2020 Thana- MOUZAHDIPUR District- Bhagalpur

1. MD. SHAMIM @ SAIMA Son of Late Md. Isha @ Ishaque
2. Md. Danish @ Md. Danish Khan
3. Md. Arif @ Md. Arif Khan both Son of Md. Shamim @ Saima all Resident of Mohalla- Ganichak, P.S.- Mozahidpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mrs. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-02-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

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 341, 307/34 of the Indian Penal Code and Section 3/4 of the Explosive Substance Act.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that this case is only a



counter blast of Mojahidpur P.S. Case No. 244 of 2020 which has been lodged by the petitioner no. 1 against prosecution party. He submits that occurrence took place on 11.11.2020 but FIR was lodged on 07.12.2020 after delay of about 26 days and there is no explanation of such delay. He submits that injury found upon the son of the informant is simple in nature. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, 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 bond 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 Mojahidpur P.S. Case No. 261 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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