

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32627 of 2022**

Arising Out of PS. Case No.-181 Year-2022 Thana- SIWAN MUFFASIL District- Siwan

1. SHAHID KHAN SON OF AZIM KHAN @ LADDAN KHAN RESIDENT OF VILLAGE- KARMALI HATA, POLICE STATION- SIWAN (MUFASSIL), DISTRICT- SIWAN, STATE- BIHAR
2. AARIF KHAN @ VICKKEY KHAN SON OF AZIM KHAN @ LADDAN KHAN RESIDENT OF VILLAGE- KARMALI HATA, POLICE STATION- SIWAN (MUFASSIL), DISTRICT- SIWAN, STATE- BIHAR
3. RIZWAN KHAN SON OF NAZIR KHAN RESIDENT OF VILLAGE- KARMALI HATA, POLICE STATION- SIWAN (MUFASSIL), DISTRICT- SIWAN, STATE- BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Amir Alam

For the Opposite Party/s : Mr.Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY**

ORAL ORDER

2      09-09-2022                      Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned APP for the State.

At the outset, the learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application as against petitioner no.3.

Permission is accorded. The application is accordingly **dismissed as withdrawn as against petitioner**



**no.3.**

Petitioner nos. 1 and 2 apprehend their arrest for the offences alleged under Sections 341, 323, 307 and 379/34 of the Indian Penal Code registered in connection with Siwan (Mufassil) P.S.Case No. 181 of 2022.

The informant is the mother of the injured Sahab Raza. She has stated in her *fardbayan* that petitioner nos. 1, 2 and 3 badly assaulted on the head of her son and he became injured. Firstly, the injured was brought to the Sadar Hospital, Siwan, thereafter he was referred for higher medical centre.

The learned counsel for the petitioners has submitted that there is delay in lodging of the FIR. He has submitted further that there is previous enmity between the parties and one Munni Khatoon, family member of the petitioner, has also lodged a case against the members of the informant's side.

There is specific allegation against the petitioners that they assaulted the injured on his head. He suffered grievous injury on his head. As such, it is not a fit case for anticipatory bail, which is hereby rejected.

Petitioner nos. 1 and 2 are directed to surrender before the court below and make a prayer for regular bail that shall be disposed of on the same day on its own merit, without being



prejudiced by this order.

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

**(Nawneet Kumar Pandey, J)**

HR/-

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