

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44993 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- SRINAGAR District- West Champaran

1. MD.JAN KHAN @ MOHAMMAD JAN KHAN, Son of Late Sani Khan, Resident of Village Ranha Mistri Tola, Police Station - Srinagar, Pujha, District - West Champaran
2. SERAJ KHAN, Son of Hasim Khan, Resident of Village Ranha Mistri Tola, Police Station - Srinagar, Pujha, District - West Champaran
3. HASIM KHAN, Son of Late Sani, Resident of Village Ranha Mistri Tola, Police Station - Srinagar, Pujha, District - West Champaran ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Shiv Kumar Dwivedy, Adv.

For the Opposite Party : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

3 07-02-2022 Heard the parties through video conferencing.

Learned counsel for the petitioners submits that so far as petitioner no. 1 (Md. Jan Khan @ Mohammad Jan Khan) is concerned, since he has been arrested the anticipatory bail application of petitioner no. 1 is not being pressed. The same is accordingly dismissed.

The petitioners 2 and 3 seek bail in anticipation of their arrest in connection with Sri Nagar (Pujha) P.S. Case No. 24 of 2021 instituted for the offences under Sections 188, 147, 149, 341, 323, 307, 327, 353 and 379 of the Indian Penal Code.

As regards petitioners 2 and 3 are concerned learned counsel submits that they have been first party accused

mentioned in the first information report where the assailants have entered the fields of the petitioners. The police has however made the petitioners also as accused in the case registered by the Chowkidar. Learned counsel submits that proceedings under Section 144 of the Criminal Procedure Code has also been initiated in the case. Learned counsel submits that no injuries have been caused.

Learned Additional Public Prosecutor opposes the bail.

Taking into consideration the said facts and also considering the above, I am inclined to grant benefit of anticipatory bail to the petitioners and in the event of arrest petitioners 2 and 3, above named, shall be released on bail subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Sanjeev Prakash Sharma, J)

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