

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57399 of 2021

Arising Out of PS. Case No.-382 Year-2021 Thana- MADHEPURA District- Madhepura

1. MD. HAFIZUL KHAN SON OF LATE BHUTAI KHAN @ MD. LATE BHUTAI KHAN R/O VILLAGE- SAHUGARH TOLA DIWANI, WARD NO.-15, P.S. AND DISTRICT- MADHEPURA
2. MD. SONU SON OF MD. AZIZUL KHAN R/O VILLAGE- SAHUGARH TOLA DIWANI, WARD NO.-15, P.S. AND DISTRICT- MADHEPURA
3. SHABNAM KHATOON @ SABNAM PARWEEN DAUGHTER OF HAFIZUL KHAN @ MD. HAFIZUL KHAN R/O VILLAGE- SAHUGARH TOLA DIWANI, WARD NO.-15, P.S. AND DISTRICT- MADHEPURA
4. BIBI AMNA KHATUN WIFE OF MD. AZIZUL KHAN R/O VILLAGE- SAHUGARH TOLA DIWANI, WARD NO.-15, P.S. AND DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate
For the Opposite Party/s : Mr.Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-06-2022 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 four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 447, 341, 323, 307, 354(B), 379, 504, 506/34 of the Indian Penal Code.



The allegation against the petitioners is that they along with other accused persons have indiscriminately assaulted the informant's side.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to enmity and grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that for the alleged occurrence, there is a case and counter-case between the parties and both sides have sustained injuries. The injuries are simple in nature. It is further submitted that there is a compromise between the parties and on the basis of the said compromise, some of the co-accused has been granted bail by the learned court below itself. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six



weeks from today, 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
Madhepura P.S. Case No.382/2021, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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