

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51670 of 2022**

Arising Out of PS. Case No.-418 Year-2022 Thana- BIHAR District- Nalanda

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1. MD. IRSHAD ALAM @ USMAN GAMI S/o Naushad Alam R/o village- Bari Dargah, P.S.- Bihar, District- Nalanda
  2. Imran Malik @ Umar Farooque S/o Naushad Alam R/o village- Bari Dargah, P.S.- Bihar, District- Nalanda
  3. Md. Naushad Alam @ Pappu Malik S/o Md. Nishar Malik R/o village- Bari Dargah, P.S.- Bihar, District- Nalanda
  4. Golden Khatoon @ Ruksana Khatoon W/o Md. Anzar Alam R/o village- Bari Dargah, P.S.- Bihar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Sharda Kumari

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      13-12-2022                      Heard learned counsel for the petitioners and  
learned APP 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.

Learned counsel for the petitioners seeks permission to withdraw this application as against the petitioner no.2 & 3 as he has already been arrested by the police, during



pendency of this application.

Permission is granted.

Accordingly, the instant application as against the petitioner no.2 & 3 is dismissed as withdrawn.

Now, this application is being heard for consideration of anticipatory bail as against the petitioner no.1 & 4 only.

Heard learned counsel for the rest of the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injuries. He submits that there is no specific overt act against the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let 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 bonds 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 Bihar P.S. Case No. 418/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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