

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54752 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- ARIYARI District- Sheikhpura

1. Kalimuddin Son Of Late Ibrahim Khan R/O Village- Ariyari, P.S.- Ariyari, Distt.- Sheikhpura
2. Yusuf Khan Son Of Allaudin Khan R/O Village- Ariyari, P.S.- Ariyari, Distt.- Sheikhpura
3. Imran Khan Son Of Mahmood Khan R/O Village- Ariyari, P.S.- Ariyari, Distt.- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sanjeev Kumar, Advocate.
For the Opposite Party/s :	Mr. Binod Kumar, APP
	Mr. Dinakar Kr.
	Mr. Ajit Kr.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects, if any, 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 147,148,149,341,323,324,325,326,307,448,354 of the Indian Penal Code and 27 of the Arms Act.

Petitioners are said to have assaulted the informant by



means of knife, sword and gun fired when survey was being conducted in informant's village. They also entered into house of the informant and assaulted to lady members of the family.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case and petitioner. He submits that earlier the petitioners have filed the case against the informant in which the petitioner's brother-in-law was died, thereafter, the informant filed the present case. He submits that there is case and counter case between the parties. He submits that the injury found upon the victim is simple in nature. He submits that there is no specific over act against the petitioner No. 2 and 3. He submits that there is general and omnibus allegation leveled against the petitioner No. 2 and 3. He submits that allegation against the petitioner No. 1 who assaulted the informant by means of sword. He further submits that petitioner No. 1 has six criminal antecedents, petitioner No. 2 has also one criminal antecedent and petitioner No. 3 has no criminal antecedents as stated in para-3 of the bail application.

Learned APP for the State opposed the prayer for bail and submits that the petitioners are habitual offenders.

Considering the nature of the injury 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 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 Ariyari P.S. Case No. 11 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

guddukr/-

U		T	
---	--	---	--

