

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1755 of 2022

Arising Out of PS. Case No.-136 Year-2021 Thana- BAIRIYA District- West Champaran

1. Imtiyaz Mian @ Imtiyaz Alam And Another Son Of Mohmood Mian Resident Of Village- Bagahi Tamulia Tola, P.S- Bairiya, Dist- West Champaran
2. Neyaz Alam @ Neyaz Mian Son Of Manif Mian Resident Of Village- Bagahi Tamulia Tola, P.S Bairiya, Dist- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava
For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 354, 379, 504/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioner no.1 is a person with clean antecedent and petitioner no.2 has antecedent of one case and the informant alleges that on account of previous dispute, the accused persons including the petitioners came variously armed to the house of the informant and started abusing and on protest, it is alleged that Amjad Alam assaulted the informant with farsa on his head



causing injury and when his wife came to save him, then she was also assaulted and petitioner no.1 started pulling her sari on account of which, she became semi-naked. Thereafter, the accused persons also snatched silver chain and other articles of the wife of the informant.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that the allegation against petitioner no.1 is ornamental and as far as specific allegation of assault is concerned, the same is against Amjad Alam and as far as the petitioner no.2 is concerned, no specific overt act has been alleged against him.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bairiya P. S. Case



No.136 of 2021, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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