

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13001 of 2023

Arising Out of PS. Case No.-334 Year-2018 Thana- HARSIDHI District- East Champaran

1. Afsana Khatoon D/O Budhan Miyan R/V- Harpur Rai, P.S- Harsidhi Dist- East Champaran
2. Sanjina Khatoon @ Sageena Khatoon Wife Of Amjad Ali @ Amjad Miyan R/V- Harpur Rai, P.S- Harsidhi Dist- East Champaran
3. Karmullah Miyan Son Of Late Rahman Miyan R/V- Harpur Rai, P.S- Harsidhi Dist- East Champaran
4. Jahiruddin Miyan Son Of Late Rohamtullah R/V- Harpur Rai, P.S- Harsidhi Dist- East Champaran
5. Afjal Miyan @ Afjal Ali Son Of Budhan Miyan R/V- Harpur Rai, P.S- Harsidhi Dist- East Champaran
6. Altaf Alam @ Altab Hussain Son Of Jahiruddin Miyan R/V- Harpur Rai, P.S- Harsidhi Dist- East Champaran
7. Amjad Miyan @ Amjad Ali Son Of Budhan Miyan R/V- Harpur Rai, P.S- Harsidhi Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar
For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 334, 307, 379, 504 and 34 of the Indian Penal Code.

As per the prosecution case, all the accused persons surrounded the informant and started to abuse him and when he



made protest, they assaulted the informant with iron rod and *lathi*.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific allegation of assault to the informant and others against the petitioners as they have been implicated in this case due to previous enmity. He further submits that the after investigation police has submitted final form against the petitioners but the learned court below differed the final form and taken cognizance against the petitioners. There is compromise between the parties. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, 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



lower Court where the case is pending/successor Court in connection with Harsidhi P.S. Case No.334 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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