

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45028 of 2023**

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

MD. MAKHDUM KHAN@MAKHDUM IBRAHIMI @ MD. MAKHDUM  
IBRAHIMI SON OF KALIMUDDIN RESIDENT OF VILLAGE- ARIYARI,  
PS- ARIYARI, DISTT- SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs.Kumari Anupam, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

- 3      01-08-2023                      1.            Heard learned senior counsel for the  
petitioner and learned APP for the State.
2.            It is submitted by learned senior counsel for  
the petitioner that the supplementary affidavit with regard to the  
details of the injury reports of the injured persons of this case  
has been filed in the office and permission is required to file its  
copy before this Court.
3.            Permission is granted. Let the copy of the  
said supplementary affidavit be kept on record.
4.            Petitioner seeks regular bail in connection  
with Ariyari P.S. Case No.11 of 2022 dated 06.01.2022  
registered for the offence/s punishable under Section/s 147, 148,  
149, 341, 323, 324, 325, 326, 307, 448 and 354 of the Indian



Penal Code and Section/s 27 of the Arms Act.

5. It is submitted by the learned senior counsel for the petitioner that in the present matter three persons are stated to have sustained injuries and as per the injury reports they sustained simple injuries, in fact the instant matter relates to free fight occurred in between both the sides and one person from the petitioner's side died in the said occurrence and copy of the FIR of petitioner's side has also been filed vide Annexure-2 and five co-accused persons namely Prawej Khan @ Raja Ram, Alauddin Khan, Kalimuddin, Yusuf Khan and Imran Khan have been granted anticipatory bail by different Benches of this Court vide orders passed in Cr. Misc. Nos.37270 of 2022 and 54752 of 2022 respectively and another co-accused namely Ekram @ Ekramul Haque has been granted regular bail by another co-ordinate Bench of this Court vide order passed in Cr. Misc. No.3533 of 2023 and the allegation of firing is against co-accused and the allegation of inflicting sword blow is general and omnibus against this petitioner. Further submissions are that both the parties are co-villagers and at the time of alleged occurrence admittedly a dispute was running in between them, though against the petitioner there are criminal antecedents of three cases but he has got bail in all the said cases.



6. Learned APP appearing for the State opposes the bail prayer.

8. Considering the above submissions and taking into account the circumstances pointed out by petitioner’s counsel which go in favour of the petitioner’s prayer, this Court is inclined to accept the bail prayer of the petitioner. Accordingly, let the petitioner named-above be released on bail in connection with Ariyari P.S. Case No.11 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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