

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42312 of 2023**

Arising Out of PS. Case No.-50 Year-2021 Thana- DARBHANGA District- Darbhanga

SHAHNAWAZ KHAN SON OF LATE SHAHZADA KHAN RESIDENT OF
VILLAGE- SENAPATH, PS- TOWN, DISTT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 08-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 149,
341, 323, 307, 504, 379, 354 of the Indian Penal Code.

3. The informant alleges that he caught Faiyaz Khan,
who was trying to outrage the modesty of his wife, thereafter,
Faiyaz caught the nine named accused persons including the
petitioner who came variously armed. It is next alleged that on
order of petitioner, Feroz Khan assaulted the informant with an
iron rod causing injury on his chest and head, thereafter, the
accused persons also assaulted his wife and Mahjabi Khatoon
snatched her gold chain.

4. Learned counsel submits that the petitioner is a



person with clean antecedents and is aged about 78 years.

5. Learned counsel submits that the petitioner has been falsely implicated in the present case. It is next submitted that petitioner is aged about 78 years and has remained a person with clean antecedents and all of a sudden, he has been made criminal by alleging that it was on his order, that Firoz Khan assaulted the informant by an iron rod causing injury on his chest when no external injury is found on the informant. It is also submitted that the date of occurrence is 12.02.2021 and the FIR came to be instituted on 14.02.2021, i.e., after a delay of two days without any plausible explanation and the petitioner and the informant are neighbors.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Darbhanga P.S.



Case No. 50 of 2021 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Harshpandey/-

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