

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47390 of 2023

Arising Out of PS. Case No.-339 Year-2021 Thana- KALYANPUR District- Samastipur

1. MD. IMTIYAZ @ MD. IMTIYAZ AHMAD Son of Wasim Ahmad Resident of village - Ratwara, Police Station - Kalyanpur, District - Samastipur.
2. Md. Eram Son of Md. Sahjod Resident of village - Ratwara, Police Station - Kalyanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-09-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 307, 354B and other allied Sections of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioners entered the house of the informant and tried to outrage the modesty of female members and in order to create terror they also fired.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submits that similarly situated co-accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as similarly situated co-accused persons have been granted bail, 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 court below where the case is pending/Successor Court in connection with Kalyanpur P.S. Case No.339 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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