

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46344 of 2023

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

1. MD. FIROZ KHAN SON OF LATE SHAHJADA KHAN RESIDENT OF VILLAGE-SENAPATH, PS- TOWN, DISTT- DARBHANGA
2. MD. FAIYAZ KHAN @ FAIYAZ KHAN @ SONU SON OF SHAHNAWAZ 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
For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

2. The petitioners apprehend their 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 petitioners who came variously armed. It is next alleged that on orders of petitioners, Firoz 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 petitioners have been falsely implicated in the present case. It is next submitted that from the side of the petitioners, Mahila P. S. Case No. 24 of 2021 has been instituted by Mahjabi Khatoon alleging that the informant of the present case used to tease her daughter while she went for coaching. It is next submitted that since informant of the present case was implicated in the case instituted by Mahjabi Khatoon, as such, the present false case came to be instituted alleging that Faiyaz, petitioner No. 2, was trying to outrage the modesty of his wife and Md. Firoz, petitioner No.1, assaulted him by an iron rod causing injury on his chest and head. Learned counsel for the petitioners asserts and submits that no external injury is found on the body of the informant.

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

7. 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 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) each 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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