

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60863 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- SHERGHATI District- Gaya

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1. Gulfan Khan @ Gulfam Khan, aged about 22 years (Male),
 2. Faijan Khan @ Faiju Khan, aged about 21 years (Male)
Both son of Manjar Khan @ Mohan Khan,
Both resident of village- Khandel, PS- Sherghati, Distt- Gaya
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Sinha, Advocate
		Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s	:	Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with Sherghati PS Case No.07 of 2023 dated 02.01.2023, instituted under Sections 147, 148, 149, 323, 354-B, 427 and 387 of the Indian Penal Code.

3. The allegation against the petitioners that they along with other co-accused variously armed with *lathi*, *danda* and pistols assaulted the informant, her father and other family members after entering into the house. They also fired but the shot missed. It is also alleged that the petitioners and others tried to outrage the modesty of the informant and threatened them of dire consequences. The reason behind the occurrence is that they want to grab the informant's house as well as the shop.



4. Learned counsel for the petitioners submits that the petitioners and the informant's side are near relatives (agnates) and there is dispute going on between them for the house and shop as stated in the written report on account of which they have been implicated. It is further submitted that none from the informant's side has sustained any injury. The allegation is general and omnibus. It is further submitted that petitioner no. 2 has no criminal antecedent while one criminal case is pending against the petitioner no. 1.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM- 1st, Sherghati, Gaya, in Sherghati PS Case No.07 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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