

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62259 of 2023

Arising Out of PS. Case No.-233 Year-2023 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Rafique Ahmad @ Rafique Khan S/O Muslim Mian R/O Satwar, P.S- G.B. Nagar, Distt.- Siwan.
 2. Amzad Khan @ Amjad Mian S/O Muslim Mian R/O Satwar, P.S- G.B. Nagar, Distt.- Siwan.
 3. Samir Khan @ Samir Ali S/O Amir Khan R/O Satwar, P.S- G.B. Nagar, Distt.- Siwan.
 4. Mahboob Khan @ Mahboob Ali S/O Amir Khan R/O Satwar, P.S- G.B. Nagar, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad
For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no. 4 submitting that during pendency of this application the petitioner no. 4 has already been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application with regard to petitioner no. 4 is dismissed as withdrawn.

5. Now, this application is being heard only with



regard to the petitioners no. 1, 2 and 3.

6. Heard learned counsel for the petitioners and learned A.P.P. for the State.

7. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 143, 341, 323, 325, 307, 379, 504, 506 of the Indian Penal Code.

8. Informant alleged that petitioners along with other co-accused assaulted him and his family members by means of various deadly weapons.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He submits that the injuries were found simple in nature, a copy of the injury reports are enclosed as Annexure-P/2 series to this application. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

9. Learned APP for the State opposes prayer for anticipatory bail.

10. Having regard to the facts and circumstances of the case and the nature of the injury, let the above named



petitioners no. 1, 2 and 3, 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 lower Court where the case is pending/successor Court in connection with G.B. Nagar P.S. Case No.233 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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