

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66168 of 2023

Arising Out of PS. Case No.-302 Year-2021 Thana- BIRAUL District- Darbhanga

Md. Faiyaz Ahmad Khan @ Faiyaz Ahmad Khan Son Of Sri Farid Alam
Khan Resident Of Village - Ahilwara, Ps- Biraul, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Biraul P.S. Case No. 302 of 2021 dated 25.11.2021, instituted
for the offence punishable under Sections 342, 504, 341, 323,
324, 307, 379/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he gave
farsa blow on the head of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that from perusal of the impugned
order, it appears that the injury report of informant reveals that



there is a lacerated wound in front of his head. Pain on tender on his hand and neck. All the injuries are simple in nature. Learned counsel submitted that similarly situated co-accused namely Ata Hussain Khan and Farid Khan have been granted bail *vide* order dated 23.11.2022 passed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 32243 of 2022 and three more accused persons namely, Fardeen Alam Khan, Saif Ali Khan and Shahwaz Khan have been granted bail *vide* order dated 27.03.2023 passed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 1234 of 2023. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Biraul P.S. Case No. 302 of 2021, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Biraul, District-Darbhangha, subject to condition as laid down under Section



438(2) of the Cr.P.C.

(Khatim Reza, J)

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