

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65123 of 2023

Arising Out of PS. Case No.-195 Year-2023 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Shakib Khan S/O Shaukat Khan Village Darwan, Ps- Chainpur, Dist- Kaimur (BHABUA)
2. Shahnawaz Khan @ Munni S/O Manauvar Khan Village Darwan, Ps- Chainpur, Dist- Kaimur (BHABUA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Aquaib Khan, Advocate
For the Opposite Party/s	:	Mr.Sanjay Kumar Tiwary, APP
For the Informant/s	:	Mr. Parwej Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Chainpur P.S. Case No. 195 of 2023 dated 07.07.2023 registered for the offences punishable under Sections 448, 323, 435 and 307 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioners and the co-accused persons came to the house of the informant and



dragged the informant from the door of his house and assaulted him and when the villagers arrived, they fled away.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. There is general and omnibus allegation against the petitioners.

6. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer of anticipatory bail of the petitioners by submitting that as per the impugned order, out of the four injuries sustained by the informant on the right eye and head is grievous in nature which is on vital part of the body.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur (Bhabua) in connection with Chainpur P.S. Case No. 195 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure, with further



conditions:-

(i). The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

(ii). If the petitioners are found involved in similar nature of offence in future, his bail bonds are liable to be cancelled.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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