

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65365 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- DHORAIYA District- Banka

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1. MD. MOKHTAR SON OF IDRIS RESIDENT OF VILLAGE-BISHANPUR, PS- DHORAIYA, DIST- BANKA
 2. MD. KHURSHID SON OF IDRIS RESIDENT OF VILLAGE-BISHANPUR, PS- DHORAIYA, DIST- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Sections 341, 323, 324, 307, 302, 120B of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, there is allegation against co-accused namely Md. Saukat, who has assaulted the husband of the informant with axe causing bleeding injury to him.



Thereafter, all the accused persons including the petitioners assaulted him with lathi and danda.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case due to old dispute. They have committed no offence. There is general and omnibus allegation against these petitioners rather the specific allegation of assaulting by means of axe to the informant's husband is against co-accused Md. Saukat. There is no specific overt act against the petitioners. He further submitted that the other co-accused has already been granted bail by this a Co-ordinate Bench vide order dated 23.08.2023 passed in Cr. Misc. No. 53602 of 2023. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 15.04.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned



Chief Judicial Magistrate, Banka in connection with Dhoraiya
P.S. Case No. 97 of 2023.

(Sunil Kumar Panwar, J)

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