

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65706 of 2022

Arising Out of PS. Case No.-135 Year-2021 Thana- MIRGANJ District- Gopalganj

1. SANGITA KHATOON @ SANJIDA KHATOON W/O MANJUR MIYAN
Resident of village- Kalopatti, P.S.- Mirganj, District- Gopalganj.
2. ANJUM SOGARA @ ANJAM SOGARA W/O KALAM MIYA Resident of
village- Kalopatti, P.S.- Mirganj, District- Gopalganj.
3. MANAN S/O NUREN @ DAROGA MIYA Resident of village- Kalopatti,
P.S.- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh
For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 29-03-2023 Earlier vide order dated 23.01.2023, this application
with regard to petitioner no.1 as dismissed as withdrawn.

Heard learned counsel for the rest of the petitioners
and learned APP for the State.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 341, 347, 323, 379 and 354 of the Indian Penal Code
pending in the learned court below.

Learned counsel for the petitioners submits that the
petitioners are innocent and have been falsely implicated in this
case. He further submits that there is general and omnibus



allegation against the petitioner against petitioner no.2. He further submits that there is allegation against petitioner no.3 to assault the informant @ Ambi Khatoon but the injury report is kept as reserved. He submits that Umbi Khatoon is the best witness of this case who received injuries and she gave a clean chit to these petitioners and raised finger against the informant of the present case and her son Chandan. He further submits that instigation is still going on against these petitioners. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submits that from perusal of the impugned order it is clear that the injured persons have found 12 injuries and injury report is not disclosed yet because the radio-logical report is not produced. Hence, they do not deserve anticipatory bail.

Considering the injury of the victim, I am not inclined to enlarge the petitioner no.3 on bail in connection with Mirganj P.S. Case No. 135 of 2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

Insofar as petitioner no.2 is concerned, there is no specific overt act against petitioner no.2, let the petitioner no.2,



named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Mirganj P.S. Case No.135 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

