

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71662 of 2022

Arising Out of PS. Case No.-9 Year-2022 Thana- NIMCHAKBATHANI District- Gaya

1. Md Asfuddin @ Md. Arif Khan @ Asif Khan S/O Late Safruddin @ Safiruddin R/V- Dharmuchak, P.S.- Nimchak Bathani, District- Gaya
 2. Md. Sadan Ahmed @ Md. Shadan Ahmed S/O Late Chand Ahmed @ Kamal Ahmed @ Ahmed R/V- Dharmuchak, P.S.- Nimchak Bathani, District- Gaya
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-03-2023 Heard learned counsel for 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, 323, 379, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

All the accused persons armed with rod, pistol, bricks, stones are said to have assaulted the Kandti Devi and Munna Kewat due to which they received injuries and also threatened them.

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 petitioners. He submits that the injuries found upon the victim is simple in nature which is clear from



the impugned order of the learned Court below passed in A.B.P. No.3091 of 2022. He further submits that all the allegations made out against the FIR on account of previous enmity. He further submits that petitioner no.1 has got one criminal antecedent and petitioner no.2 has got two criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 Nimchak Bathani P.S. Case No.09 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Let the order of the learned Court below passed in A.B.P. No.3091/2022 be kept on the record.

(Anjani Kumar Sharan, J)

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