

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68902 of 2022

Arising Out of PS. Case No.-116 Year-2021 Thana- MANIGACHI District- Darbhanga

1. MAJID HUSSAIN KHAN @ MAZID HUSSAIN KHAN @ MAZID S/O ALI HUSSAIN KHAN Resident of Village- Paithan Kabai, P.S.- Manigachhi, District- Darbhanga.
2. ASHIK HUSAIN KHAN @ ASIQUE HUSSAIN KHAN @ ASIQUE S/O ALI HASAN KHAN Resident of Village- Paithan Kabai, P.S.- Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Adv.

For the Opposite Party/s : Mr.Uday Pratap Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-04-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 325, 379, 448, 307, 352, 354 (D), 504, 506, 34 of the Indian Penal Code.

Allegedly, petitioners are said to have given farsa blow on the head of the informant's brother. Thereafter co-accused Sadique, Razique and others opened fire and entered the informant's house. They looted Rs. 50,000/- from the house of the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to village politics. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case and counter case between the parties. Though the allegation levelled against the petitioners that they assaulted the informant's brother Najish Khan with farsa, but as per the injury report, injury was found simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as there is case and counter case between the parties and the injury sustained by the victim is simple in nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Manigachhi (Nehra O.P.) P.S. Case No. 116 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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