

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78767 of 2023

Arising Out of PS. Case No.-156 Year-2023 Thana- PALANWA District- East Champaran

1. Nabias Khan S/O Gulbahar Khan Village- Chota Pakhanhiya, Ps. Palanwa, Dist.East Champaran
2. Warqtullah Khan S/O Sarajul Khan Village- Chota Pakhanhiya, Ps. Palanwa, Dist.East Champaran
3. Khairullah Khan S/O Warqtullah Khan Village- Chota Pakhanhiya, Ps. Palanwa, Dist.East Champaran
4. Diljaan Khan S/O Sabir Khan Village- Chota Pakhanhiya, Ps. Palanwa, Dist.East Champaran
5. Mustafa @ Mustaq Khan @ Mustafa Khan S/O Najir Khan Village- Chota Pakhanhiya, Ps. Palanwa, Dist.East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Adv.
For the Opposite Party/s	:	Mr. Yogendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 354, 379, 504, 506/34 of the Indian Penal Code.

3. Allegation against the petitioners along with other co-accused persons have assaulted the informant and his brother.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners



are quite innocent and have been falsely implicated in this case at the instance of enemy. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that injury of the injured persons has found simple in nature annexed with annexure-2. It is admitted land dispute between the parties. Both the parties are agnates, bickering over dispute regarding the pathway. He further submits that the specific allegation of assaulting the informant is levelled against the co-accused persons, namely, Nabi Alam and Samsad Khan. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. Having regard to the facts and circumstances of the case, considering the nature of injury is found simple, let the above named petitioners, be released on bail, in the event of his 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 Palanwa P.S. Case No. 156 of 2023, subject to the



condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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