

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1426 of 2023**

Arising Out of PS. Case No.-133 Year-2021 Thana- BIRAUL District- Darbhanga

Chandan Kha @ Chandan Khan @ Chandan Kumar Kha @ Chandan Kumar
Khan Son of Sri Kailash Kha @ Kailash Khan Resident of Village- Pataniyan
(Patania Lalpur), P.S.- Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13

For the Opposite Party/s : Mr.Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 23-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Biraul P.S. Case No.133 of 2021, registered for the
offences punishable under Sections 147, 148, 149, 341, 323,
324, 307, 379 and 504 of the Indian Penal Code.

The petitioner is said to have assaulted the nephew of
the informant by means of *tengari*.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail petition.
It is further submitted that similarly situated co-accused persons



have already been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 28.04.2022, passed in Cr. Misc. No.8170 of 2022.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the fact that similarly situated co-accused persons have already been enlarged on anticipatory bail, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Darbhanga in connection with Biraul P.S. Case No.133 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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