

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9140 of 2024

Arising Out of PS. Case No.-245 Year-2021 Thana- SONBERSA District- Sitamarhi

Minhaj Khan @ Md. Minhaj Khan @ Minhaj Akhtar Khan S/O Jamil Akhtar
Khan R/O Village- Fatahpur, Ward No. 2, P.S- Sonbarsa, Distt.- Sitamarhi-
843317.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-02-2024 Heard Mr. Subodh Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Mohammad
Sufyan, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Sonbarsa P.S. Case No. 245 of 2021 registered under
Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal
Code.

3. As per the allegation made in the FIR, the petitioner
along with other co-accused with an intention to kill the
attacked on the informant by means of sword.

4. Learned counsel appearing on behalf of the

petitioner submits that the petitioner is innocent and he has falsely been implicated in the present case and the allegation against him is that of assaulting the informant by means of *lathi-danda*. He further submits that the specific allegation has been levelled against the co-accused Md. Nasiruddin is that he had assaulted the informant by means of sword and Nasir assaulted by means of knife in the stomach of the informant.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that co-accused persons have been granted bail the Co-ordinate Bench of this Court vide order dated 19.10.2022 passed in Cr. Misc. No.18873 of 2022 and vide order dated 22.11.2022 passed in Cr. Misc. No.31318 of 2022, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate – VII, Sitamarhi in

connection with Sonbarsa P.S. Case No.245 of 2021, subject to
the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

Ashishsingh/-

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