

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32462 of 2024

Arising Out of PS. Case No.-897 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. Azaharuddin son of Md. Sadam Miya, Village- Phataha PS- Gopalganj Town, Dist- Gopalganj
 2. Jahangir @ Jahangir Ahmad son of Sadruddin Village- Phataha PS- Gopalganj Town, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharmveer Jha, Advocate
For the State	:	Mr. Dr. Ajeet Kumar, APP
For the Informant	:	Md. Javed Aslam, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with
Gopalganj (Town) P.S. Case No.897 of 2023 instituted under
Sections 341, 323, 307, 379, 504 and 34 of the IPC.

3. As per prosecution case, when the informant along
with his cousin brother coming from the market on motorcycle
then the accused persons including petitioners having armed
with *lathi*, *danda* and rod encircled the motorcycle of the
informant and they assaulted the informant and when his cousin
brother Yahiya came to save, the petitioners pressed his neck
and assaulted him.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have falsely been implicated in this case. The allegation against petitioners is that they pressed the neck of Yahiya (cousin brother of the informant) and assaulted him with leg, fist and *lathi*. There is case and counter case between the parties. He further submits that the injuries sustained by the injured are found to be simple in nature. Petitioners have one criminal complaint in which they are on bail. Petitioners undertake to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj in connection with Gopalganj (Town) P.S. Case No.897 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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