

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35907 of 2024

Arising Out of PS. Case No.-309 Year-2023 Thana- PIRBAHOR District- Patna

Md. Mazid Khan @ D. D. Son Of Late Kammu Khan Resident Of Mohalla -
Durukhi Gali, Muradpur Lane, P.S. - Pirbahore, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Pirbahore P.S. Case No. 309 of 2023 for the offence punishable under Sections 147, 148, 149, 341, 323, 354 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

03. As per the prosecution case, the petitioner and other co-accused persons under drunken condition were indulging in molestation of girls and assaulted the informant and others and also opened fire.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The instant FIR is counter version of FIR bearing Pirbahore P.S.



Case No. 320 of 2023 lodged by the petitioner against the informant and others as they assaulted the co-accused Sunny Raj @ Sunny, who became unconscious. The occurrence took place as children were celebrating *Eid* and this fact could also been seen in the CCTV footage. The petitioner has got no criminal history.

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

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the general, vague and non-specific nature of allegation against the petitioner and also considering the possibility of false implication in the light of counter case, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned to the satisfaction of the learned Chief Judicial Magistrate/court concerned, Patna in connection with Pirbahore P.S. Case 309 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each
and every date fixed by the court below, if so
required by the learned trial court.

(Arun Kumar Jha, J)

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