

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34598 of 2024

Arising Out of PS. Case No.-924 Year-2023 Thana- BARACHATTI District- Gaya

1. Md Jishan Khan @ Md. Zishan Khan, aged 24 years, Son of Aayub Khan Resident of -Post Itwan, Gram -Itwan, P.S -Mohanpur, Bihar 824232
2. Majid Khan, aged 24 years, Son of Azad Khan, Resident of Village -Itwan, Gram Itwan, P.S -Mohanpur, Bihar 824232
3. Aftab Khan, aged 21 years, Son of Ainam Khan @ Inam Khan Resident of Village- Itwan, Post - Itwan, P.S -Mohanpur, Bihar 824232

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aiman Hassan, Advocate
For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-09-2024 Heard Mr. Aiman Hassan, learned counsel appearing on behalf of the petitioners and Mr. Murli Dhar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Barachatti P.S. Case No. 924 of 2023 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the petitioners along with other accused persons had entered into scuffle with other group in which both the parties sustained injury and some of them sustained multiple injuries.



4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. General and omnibus allegation has been levelled against all the petitioners. Other co-accused person, namely, Md. Arshad, has already been released on pre-arrest bail by this Court vide order dated 26.06.2024 passed in CWJC No. 37245 of 2024. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

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

7. Considering the nature of allegation made in the FIR against the petitioners, as well as, other co-accused person, namely, Md. Arshad, has already been released on pre-arrest bail by this Court vide order dated 26.06.2024 passed in CWJC No. 37245 of 2024 and petitioners have clean antecedent, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four 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 learned Additional Sessions Judge, Sherghati,



Gaya/Court concerned, in connection with Barachatti P.S. Case No. 924 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

