

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41896 of 2024

Arising Out of PS. Case No.-167 Year-2022 Thana- MAHESHKHUNT District- Khagaria

1. Md. Azhar Khan @ Sonu S/O Md. Ziyauddin Khan Resident Of Village Salim Nagar P.S Maheshkhunt District Khagaria
2. Md. Athar Khan @ Monu S/O Md. Ziyauddin Khan Resident Of Village Salim Nagar P.S Maheshkhunt District Khagaria
3. Ashar Khan S/O Md. Ziyauddin Khan Resident Of Village Salim Nagar P.S Maheshkhunt District Khagaria

... .. Petitioner/s

Versus

The State Of Bihar Advocate General Office Patna High Court Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Subhash Kumar Jha, Adv.
For the State	:	Mr. Dilip Kumar No. 1, APP
For the Informant	:	Mr. Mukesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2024 Heard Mr. Subhash Kumar Jha, learned counsel for the petitioners, Mr. Dilip Kumar No. 1, learned Additional Public Prosecutor for the State and Mr. Mukesh Kumar, learned counsel for the informant.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 325, 307, 504, 506, 379 and 34 of the Indian Penal Code.

3. Allegation against the petitioners to assault the informant and his sons brutally by forming unlawful assembly.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to land dispute. He submits that there is case and



counter case between the parties and both sides have sustained injury. He submits that the injury found upon the victim is simple in nature. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and informant oppose the prayer for bail submit that the father of the petitioners is a veteran criminal in the area and threat for the society. He bears seven criminal antecedents.

6. Considering the facts and circumstances of the case, let the above named petitioners in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Maheshkhunt P.S. Case No. 167 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further conditions:

(I) The petitioners will mark their attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of their bail bond.



(II) The petitioners shall co-operate with the investigation, if not already concluded and make themselves available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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