

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50680 of 2024

Arising Out of PS. Case No.-93 Year-2024 Thana- GOH District- Aurangabad

1. Md. Saheb Khan @ Saheb Khan, son of Late Imamuddin Khan, Village-Deohara, P.S.- Goh, Dist- Aurangabad
2. Kadir Khan @ Abdul Kadir Ahmad Khan @ Chand @ Chand Khan, son of Md. Saheb Khan @ Saheb Khan, Village- Deohara, P.S.- Goh, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tabish Sharfuddin, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-07-2024 Heard learned Advocate for the petitioners and
learned APP for the State.

2. The petitioners seek regular bail, who are in custody in connection with Goh P.S. Case No. 93 of 2024 registered for the offences punishable under Sections 341, 342, 323, 324, 307/34 of the Indian Penal Code.

3. Allegation against the petitioners of causing assault to the brother of the informant.

4. Learned Advocate for the petitioners referring to the F.I.R. contended that general and omnibus nature of allegation has been levelled against all the accused persons, including the petitioners. Moreover, the injuries sustained to the



brother of the informant is found to be simple in nature, as is evident from the impugned order. It is also contended that there is a long standing enmity and a complaint has also been filed by the daughter of petitioner no.1 against the injured and others. It is next contended that the petitioners are men of fair antecedent and now they are in custody since 06.05.2024.

5. On the other hand, learned APP for the State opposes the bail application and submits that the petitioners have actively participated in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, leading to simple injury, coupled with the fair antecedent of the petitioners, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Daudnagar, Aurangabad in connection with Goh P.S. Case No. 93 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-

(i) The petitioners will cooperate in conclusion of the trial.



(ii) They will remain present on each and every date of trial till disposal of the case.

(iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

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