

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61434 of 2024

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

-
1. Amjad Khan @ Md. Amjad Khan @ Munna Khan son of Saheb Khan village- Deohara, PS- Goh, Dist- Aurangabad
 2. Munni Khaton wife of Saheb Khan village- Deohara, PS- Goh, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Goh P.S. Case No. 93 of 2024 registered for the offences punishable under Sections 341, 342, 323, 324 and 307/34 of the Indian Penal Code.

3. Based upon the written report, the prosecution alleges that in the night of 01.05.2024, all the FIR named accused persons confined the elder brother of the informant in his house and brutally assaulted him by means of iron rod and other weapons due to which he sustained serious injuries.

4. Learned counsel for the petitioners contended that



apart from the omnibus nature of allegation, reason behind the said occurrence is that on the alleged date of occurrence, the victim Danis Alam entered into the house of petitioner no.1 with an intention to commit rape upon his daughter and when his daughter raised alarm, the victim, in order to save himself jumped upon the roof due to which he sustained injury. With regard to the said occurrence, a complaint has also been filed bearing Complaint Case no. 134 of 2024 against the victim Danis Alam. Drawing the attention of this Court to the impugned order, learned counsel for the petitioners further contended that the victim received abrasion over right temporal and occipital area. However, till date the nature of injury has not been disclosed and *prima facie*, it appears to be simple in nature. Moreover, the petitioners bear fair antecedent.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the petitioners had actively participate in the crime and brutally assaulted the brother of the informant.

6. Regard being had to the submissions made on behalf of the parties and considering the factum of filing of the complaint by petitioner no.1 and the omnibus nature of allegation, coupled with the fact that petitioner no.2 is lady; and



both the petitioners having fair antecedent, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Daudnagar, Aurangabad in connection with Goh P.S. Case No. 93 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

rohit/-

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

