

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82832 of 2024

Arising Out of PS. Case No.-364 Year-2023 Thana- MADHUBAN District- East Champaran

1. Kamil Reza @ Kamil Reza Khan @ Kamil Reja Khan S/O Intezar Khan @ Intezar Ahmad Khan Resident of Village - Jogauliya Tola Gulab Khan, P.S. - Madhuban, District - East Champaran
2. Altamash Khan @ Altamas Khan Son of Pappu Khan @ Sahane Alam Khan Resident of Village - Jogauliya Tola Gulab Khan, P.S. - Madhuban, District - East Champaran.
3. Shamir Khan @ Samir Khan Son of Pappu Khan @ Sahane Alam Khan Resident of Village - Jogauliya Tola Gulab Khan, P.S. - Madhuban, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Madhurendra Kumar, Advocate
For the Opposite Party/s	:	Mr.Mukesh Kumar Singh, APP
For the Informant	:	Mr. Suraj Kumar Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners, informant and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Madhuban P.S. Case no. 364 of 2023 instituted for the offence under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code.



3. The case of the prosecution is that the petitioners caught the informant thereupon Farad Khan assaulted him by means of '*farsa*' on the head with intention to kill.

4. Learned counsel for the petitioners has submitted that petitioner is innocent and have falsely been implicated in connection with the present case. During the course of argument, learned counsel for the petitioners submits that the injury report of the informant which is annexed as Annexure-2 to the petitioner goes to show that the injuries which informant received is only pain and bodyache. It simply means that the informant was not having any visible injuries. Pain and bodyache is not considered as injury in medical jurisprudence.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Madhuban P.S. Case no. .364 of 2023, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial
Magistrate, East Champaran, Motihari, subject to the conditions
as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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