

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84591 of 2023

Arising Out of PS. Case No.-62 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

1. Shahnaj Khatoon @ Sahanajatan @ Sahnaj Khatoon And Another Wife Of Md. Zubair Resident Of Village- Sharfuddinpur, Ward No. 9, P.S.- Bochahan, District- Muzaffarpur
2. Md. Tanwir Son Of Md. Zubair Resident Of Village- Sharfuddinpur, Ward No. 9, P.S. Bochahan, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 324, 307, 353, 504, 5056/34 of the Indian Penal Code.

3. As per the prosecution case, when police went to the house of petitioner no. 2 in connection with Bochahan P.S. Case No. 447 of 2022, and arrested petitioner no. 2, then petitioner no. 1 along with other co-accused persons surrounded the police team and assaulted the police officials and set free petitioner no. 2.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that in



connection with Bochahan P.S. Case No. 447 of 2022, the petitioner has been granted anticipatory bail by co-ordinate Bench of this Court. He further submits that, as per the injury report enclosed in Annexure P-3 to this application, injury was found simple in nature. Petitioner no. 1 has no criminal antecedent and petitioner no. 2 has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, 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 six 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 the learned lower Court where the case is pending/successor Court in connection with Bochahan P.S. Case No.62 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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