

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84693 of 2023**

Arising Out of PS. Case No.-88 Year-2020 Thana- MAGADH UNIVERSITY District- Gaya

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1. Anwar Khan @ Md Anwar Khan Son of Late Salar Ahmad Khan Resident of Village - Mora Mardana, Sahdewkhap, P.S.- Magadh University, District- Gaya.
2. Shakil Khan Son of Late Ishrar Khan Resident of Village - Mora Mardana, Sahdewkhap, P.S.- Magadh University, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Murad Ashraf, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP.

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      15-01-2024              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 147, 148, 149, 323, 341, 504, 506 and 379 of the Indian Penal Code.

3. As per the prosecution case, on the alleged date and time of occurrence, all the accused person named in the F.I.R. including these petitioners forcibly entered into the house of the informant and assaulted him and others and also damaged the various household articles.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. No such occurrence as alleged ever took place. They have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case and counter-case between the parties. The injury sustained by the victim is simple in nature. Similarly situated co-accused, namely Faisal Khan has been enlarged on bail by a co-ordinate bench of this court vide order dated 11.10.2023 passed in Cr. Misc. No. 62716 of 2023. 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 opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, there is no specific overt act against the petitioners and similarly situated co-accused has been enlarged on anticipatory bail by a co-ordinate bench of this court, let the above named petitioners, be released on bail, in the event of his 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) 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 Magadh University  
P.S. Case No. 88 of 2020, subject to the condition as laid down  
under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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