

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30910 of 2025

Arising Out of PS. Case No.-28 Year-2021 Thana- DUMARIYA District- Gaya

1. Dawood Khan @ Dawood son of Abdul Wadood Khan @ Wadood Khan Village- Khaira, Post- Adarchak, Ps- Dumariya, Dist- Gaya
2. Aftab Khan Son of Nemat Navi Khan Village- Khaira, Post- Adarchak, Ps- Dumariya, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 09-02-2026 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The learned counsel for the petitioners, after some argument, seeks permission to withdraw the instant anticipatory bail application with respect to the petitioner no.1, Dawood Khan @ Dawood.
3. Permission is accorded.
4. Accordingly, instant petition is dismissed as withdrawn with respect to the petitioner no.1, Dawood Khan @ Dawood.
5. The petitioner no.2 seeks bail in anticipation of his arrest in a case registered for the offences punishable under



Sections 341, 323, 324, 379, 307, 504, 506, 34 of the Indian Penal Code.

6. The learned counsel for the petitioner submits that the petitioner no.2 is a person with clean antecedent and in sum and substance the informant alleges that he has a business of Dairy and when he along with his brother were returning by their motorcycle from Imamganj, when they were intercepted by the accused persons including the petitioner and Dawood Khan assaulted his brother by farsa and thereafter co-accused Shamshad assaulted his brother by garasa causing injury on head and Aftab assaulted informant by an iron rod causing injury on head and thereafter, co-accused Neimat Nabi Khan also assaulted by iron rod indiscriminately causing fracture of hand of the brother of the informant.

7. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that against the petitioner, it is alleged that he assaulted the informant by iron rod causing injury on head, but then, the injury suffered by the informant has been opined to be simple in nature. It is also submitted that police after investigation submitted final form in



favour of Shamshad who is alleged to have assaulted the brother of the informant along with Dawood Khan, but against Dawood charge-sheet has been submitted.

8. Learned A.P.P. Sri Chandra Bhushan Prasad opposes the anticipatory bail application.

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner no.2, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Dumariya P. S. Case No.28 of 2021, subject to the conditions laid down under Section 482(2) of the B.N.S.

10. The application stands allowed.

(Satyavrat Verma, J)

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