

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54069 of 2015

Arising Out of PS.Case No. -19 Year- 2014 Thana -RIGA District- SITAMARHI

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1. Chhote Mansoori @ Md. Chhote Mansoori @ Md. Chhote Alam Son of Md. Kalam
 2. Salima Khatoon Wife of Md. Chhote Mansoori @ Md. Chhote Alam
 3. Begam Khatoon Wife of Md. Munna Mansoori
- Petitioner no. 1 to 3 are resident of Village - Kalikapur Piprarhi, P.S. - Riga, District - Sitamarhi
4. Md. Dil Mohammad @ Md. Dil Mohammad Son of Md. Habib Resident of Village - Chaki Mayurwa, P.S. - Sonbarsa, District - Sitamarhi
 5. Md. Samsul @ Md. Shamshul Son of Late Abdul Karim Resident of Village - Kanna Dumariya, P.S. - Raksaul, East Champaran at Motihari

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate
For the Opposite Party/s : Mr. Murlidhar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-11-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 302/34 of the Indian Penal Code.

The prosecution case is that the accused persons entered into the house of the informant and surrounded the daughter of the informant. Specific allegation is that co-accused Md. Munna Mansoori sprinkled K-oil on the body of the daughter of the informant and co-accused Kalam Mansoori lit the fire.



It is submitted by the learned counsel for the petitioners that no specific accusation has been levelled against the petitioners. Petitioners are the nephew, daughters-in-law, son-in-law and Samadhi of the informant. The petitioners are not sent up for trial and Final Form was accepted by the learned court below and cognizance has been taken. The impugned order does not reflect any material which prima facie made out a case against the petitioners.

Considering the fact that petitioner no. 1 Chhote Mansoori @ Md. Chhote Mansoori @ Md. Chhote Alam is accused in one other case, let the learned court below consider the prayer for regular bail of the above named petitioner no. 1, if he surrenders before the learned court below within a period of six weeks from today in connection with Riga P.S. Case No. 19 of 2014, pending in the court of learned Additional Chief Judicial Magistrate, Sitamarhi.

So far as petitioner nos. 2 to 5 are concerned, since no specific accusations have been levelled against them. They are not sent up for trial and Final Form was accepted by the learned court below and cognizance has been taken. Statement has been made in para-3 of the petition that petitioner nos. 2 to 5 have no criminal antecedents, let the above named petitioner nos. 2 to 5 be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail

bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sitamarhi in connection with Riga P.S. Case No. 19 of 2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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