

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22120 of 2015

Arising Out of PS.Case No. -213 Year- 2013 Thana -BAJPATTI District- SITAMARHI

1. Sakila Khatoon Wife of Md. Razique
2. Md. Haidar, Son of Md. Razique

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Kamil Akhtar, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary No.1 (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-05-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147/148/149/448/323/324/325/379/307/435/427/302 of the Indian Penal Code.

It is alleged that 19 accused persons including the petitioners came variously armed with surrounded the brother of the informant Md. Sobail when the specific accusation of causing injury with knife and iron rod is against co-accused Md. Mojibul Rehman and Md. Shamim when nieces of the informant Kahkasha Khatoon and Darakhshan Khatoon came there all the accused person assaulted them also. Subsequently, the brother of the informant succumbed to the injuries.

It is submitted by learned counsel for the petitioners that the specific accusation of assault is only levelled against co-accused Md. Mojibul Rehman and Md. Shamim. There is no accusation of any overt act against both these petitioners. There is counter versions of the occurrence also and co-accused Mumtaz Khatoon with similar accusation has been granted anticipatory bail by a co-ordinate bench of this court vide Criminal Miscellaneous No.14836 of 2015. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Bajpatti P.S. Case No. 213 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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