

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37464 of 2015

Arising Out of PS.Case No. -491 Year- 2015 Thana -SITAMARHI District- SITAMARHI

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1. Qamrul Hoda S/o Late Majibul Rahman
 2. Tara Khatoon W/o Qamrul Hoda
 3. Moin Ashraf S/o Qamrul Hoda
 4. Talat Praween W/o Moin Ashraf
 5. Sakeeb Ashraf S/o Qamrul Hoda

All residents of Village - Talkhapur - Kothitola, P.S. and Dist - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Opposite Party/s : Mr. M.Haque(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 15-09-2015

Heard learned counsels for the petitioners

and the State.

The petitioners father-in-law, mother-in-law brothers'-in-law (Bhaisur) and sister-in-law (Gotni) are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

The prosecution case is that the petitioner



no. 1 Qamrul Hoda being father-in-law caught hold of the informant, petitioner no. 5 Sakeeb Ashraf assaulted with lathi to the informant when petitioner no. 1 father-in-law assaulted with axe causing bleeding injury, petitioner no. 3 Moin Ashraf assaulted with sword to the informant and petitioner no. 5 Sakeeb Ashraf took out of Rs.10,000/- and jewellery from the box of the informant.

It is submitted by learned counsel for the petitioners that in the background of Sitamarhi P.S. Case No. 346 of 2013 lodged by the informant levelling accusation under Sections 341, 323, 498A and 504 of the IPC against the other son of petitioner no. 1 the present case has been lodged. The injury reflects superficial simple in nature caused by hard and blunt substance when the accusation is making assault with axe and sword sharp cutting weapons.

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 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 Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 491 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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