

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41822 of 2015

Arising Out of PS.Case No. -268 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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1. Sagir Son of Late Jahir.
 2. Mehrun @ Mehrun Nisha Wife of late Sagir
 3. Md. Kaushar @ Kausher Son of Sagir.
 4. Soni Khatoon @ Soni wife of Md. Kausar,
 5. Munni Wife of Tabarak. All R/o Village- Darbhangiya Tola, Ward no. 13, P.S.- Forbesganj, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Parmanand Pd.(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 28-01-2016 Heard learned counsel for the petitioners and learned
A. P.P. for the State.

Petitioners apprehend their arrest in connection with Forbesganj P.S. Case No. 268 of 2015 registered for offences punishable under Sections 147, 341, 342, 323, 324, 325, 326, 379, 504, and 506 of the Indian Penal Code.

The prosecution case, in brief, is that the informant Farooque Ansari gave a written application before the S.H.O., Forbesganj Police Station stating therein that on 25.06.2015 at 6:30 P.M., while he was returning after doing the work of mason to his house, the accused persons (petitioners) came there and

abused him. When he protested, Munni caught his neck and threw him on the ground and badly assaulted him with fists and feet. Kaushar caused injury on his left hand which got fractured. Sagir took out Rs. 3,500 from his pocket. Thereafter Mehrun Nisha gave knife blow on his neck and other two to three portions of his body due to which he received injuries. Soni snatched his wrist watch worth Rs. 1600/- from his possession during course of assault.

It has been submitted by the counsel for the petitioners that they have no criminal antecedent and have falsely been implicated due to previous enmity for which learned counsel for the petitioners places reliance on the counter case, bearing Forbesganj P.S. Case No. 202 of 2015, Annexure-2 filed by one of the petitioners, Munni against the informant and others. Learned counsel for the petitioners further submits that the First Information Report has been lodged on 29.06.2015, but the occurrence is said to have taken place on 25.06.2015, which falsifies the allegations levelled by the informant.

Considering the fact that there was previous enmity between the parties, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties

of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 268 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

Arjun/-

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