

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27435 of 2016

Arising out of PS.Case No. -17 Year- 2016 Thana -UDAKISHANGANJ District- MADHEPURA

1. Md. Kursid, S/o Md. Shakur.
2. Md. Margu @ Margub, S/o Md. Shakur.
3. Md. Ajad, S/o Md. Kursid.
4. Md. Sonovar, S/o Mursid. All residents of village - Rahta, Ujani Tola, P.S. Udakishunganj, District – Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Alok Kumar Singh, Advocate.

For the Opposite Party : Mr. Sri Sanjay Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Udakishunganj P.S. Case No. 17 of 2016 for the offences instituted under Sections 447, 341, 323, 379, 504, and 506/34 of the IPC.

The prosecution story, in brief, is that on 01.02.2016 at about 4.00 P.M. while the informant's son, namely, Md. Shoyab aged 1 ½ years, had gone to the *Darwaja* of Md. Shakur for playing then co-accused Bibi Jalikha got him fled away from *Darwaja* by assaulting him and when the informant's son came to



the informant in weeping condition and when the informant went to complain co-accused Bibi Jalikha as to why she assaulted to her son then co-accused Bibi Jalikha abused to the informant and when the informant objected then the co-accused persons namely, Bibi Jalikha, Bibi Fahrana and Rabina started assaulting to the informant by lathi-danda and slaps and thereafter the informant fled away and came to her house. It has been further alleged that petitioners, namely, Md. Kursid, Md. Mursid, Md. Mahgu, Md. Azad, Md. Sanobar and co-accused Bibi Mobida Khatoon being armed with lathi, danda and *Phatta* came at the house of the informant and started assaulting to her by entering into her house, took out Rs. 20,000/- by breaking *attachy* kept in the house, damaged the utensils by breaking it, took away the clothes and drove away the informant from her house by dragging her. It has been further alleged that when the informant raised alarm then many people of the village came there and saved the informant from further assault and being unconscious the informant fell down on the ground. It has been further alleged that the informant sustained cut injury near her chin which caused bleeding.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. They have falsely been implicated in the present case due to village politics. No

specific allegation has been made against the petitioners. General and omnibus allegation has been made against the petitioners. All the offences are bailable except for the offence under Section 379 IPC.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Udakishunganj P.S. Case No. 17/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Udakishunganj, Madhepura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)