

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27362 of 2016

Arising Out of PS.Case No. -20 Year- 2016 Thana -BANGAON District- SAHARSA

- =====
1. Md. Sahadat Son of Late Dilo Mian
 2. Md. Ajim
 3. Md. Kayum both sons of Md. Sahadat All resident of Village- Bariyahi Tola- Naulakha, P.S.- Bangaon, dist- Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party : Mr. Sri Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioners are apprehending their arrest in connection with Bangaon P.S. Case No. 20 of 2016 for the offences instituted under Sections 341, 323, 324, 380 and 354B/34 of the Indian Penal Code.

As per prosecution case, it is alleged by the informant that on the date of occurrence while the informant was at his door then the FIR named accused persons armed with *lathi*, *farsa*, *bhala* came and Md. Ajim told with hurling abusive language to bring out his daughter but the informant was not agree to do so then all the accused persons torn her lady garment and also

assaulted her and thereafter the accused persons took away house hold articles by entering into the house of the informant and thereafter informant brought his wife to hospital for medical treatment.

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. The alleged occurrence is said to have taken place due to family dispute. The date of occurrence is said to be on 09.03.2016 and the case was instituted on 05.04.2016. No reasonable explanation has been given by the prosecution regarding delay in instituting the case.

On behalf of the State and the counsel for the Informant, it has been submitted that the petitioners are named in the F.I.R. and they have actively participated in the alleged occurrence.

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 **Bangaon P.S. Case No. 20 of 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 **CJM, Saharsa**, subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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