

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37263 of 2016

Arising Out of PS.Case No. -197 Year- 2016 Thana -SITAMARHI District- SITAMARHI

- =====
1. Hazra Khatoon, Wife of Md. Haidar, R/V- Mehsaul.
 2. Ruvaidda Khatoon, Wife of Md. Mustafa Rain, R/V- Mehsaul Gote.
 3. Gulshan Khatoon, Wife of Kadir Rain, R/V- Mehsaul East.
 4. Pratima Sharma @ Pritam Sharma Son of Ravindra Sharma R/V- Mehsaul
- All resident of Police Station Mehsaul O.P., District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. Sri Khurshid Anwar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 21-09-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sitamarhi (Mehsaul) Police Station Case No. 197 of 2016, disclosing offences under Sections 147, 148, 149, 341, 342, 323, 324, 307, 364, 353, 337, 504, 506 of the Indian Penal Code.

It is alleged in the First Information Report, which has been registered on the basis of self-statement of Sub-Inspector of Police of Mehsaul O.P., that husband of Mukhiya of the concerned Gram Panchayat, Md. Arif Hussain, along with his associates, had kidnapped

Constable Kanhaiya Lal of G.R.P., Sitamarhi, with an intention to kill him. Allegedly, he was confined in a school and was brutally assaulted. It is also alleged that the accused persons ransacked the Police Station and destroyed several articles.

Learned Counsel appearing on behalf of the petitioners has submitted that petitioner nos. 1, 2 and 3 are females and all the petitioners have been made accused on the basis of secret information, as is evident from the First Information Report itself. It has also been submitted that there is no specific allegation against these petitioners of any overt act or participation in the commission of the alleged crime.

Considering the above submissions, this application is allowed.

Let the petitioners, namely, Hazra Khatoon, Ruvaidda Khatoon, Gulshan Khatoon and Pratim Sharma @ Pritam Sharma, in the event of their arrest or surrender before the Court below within six weeks, be released on bail 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 (Mehsaul) Police Station Case No. 197 of 2016, subject to the condition laid down under

Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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