

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43906 of 2016

Arising Out of PS.Case No. -67 Year- 2016 Thana -KATIHAR MUFFASIL District- KATIHAR

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1. Md. Aenamul Haque son of Late Mumtaz
2. Md. Abul Hussain
3. Md. Tarique @ Tarique
4. Md. Banka 2 to 4 are sons of Md. Aenamul Haque,
5. Md. Alam son of Late Ismail All are resident of Village- Hajipur, P.S.-
Katihar, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 19-12-2016

Heard.

Prayer for anticipatory bail of petitioner No. 3 namely, Md. Tarique @ Tarique has already been dismissed being infructuous and so far as petitioner Nos. 1, 2, 4 and 5 are concerned; they apprehend their arrest in connection with Katihar (Muffasil) P.S. Case No. 67 of 2016 registered under Sections- 354, 354(B), 325, 379 & other minor sections of the Indian Penal Code and it is alleged that they, having armed with Lathi and iron rod, entered into house of the informant and petitioner No. 1 outraged the modesty of the informant and also made attempt to commit her murder by putting rope around her neck and so far as petitioner No. 2 is concerned; he is said to have assaulted



informant's brother namely, Md. Dawood, causing injury on his right hand whereas; petitioner Nos. 3 & 4 are said to have committed theft of belongings of the house of the informant. The alleged occurrence is said to have taken place on account of land dispute.

Learned counsel for petitioners drew my attention towards Photostat copy of injury reports and submits that all the injuries are simple in nature and as a matter of fact, neither Section-325 nor Sections-354 & 354B of the Indian Penal Code is applicable in the present case.

Considering the above-said facts and circumstances of the case petitioner Nos. 1, 2, 4 and 5 named above, in the event of their arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Katihar (Muffasil) P.S. Case No. 67 of 2016 to the satisfaction of learned Judicial Magistrate-Ist Class, Katihar subject to conditions as laid down u/S 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

A.K.V./-

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