

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41112 of 2016

Arising Out of PS.Case No. -364 Year- 2016 Thana -FORBESGANJ District- ARRARIA

1. Sarfaraz S/o- Late Yasin
2. Sajjad S/o- Late Yasin,
3. Bibi Sarifa @ Sharifa W/o Sajjad,
All are resident of Village- Ahmadpur, P.S.- Simraha,
District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Rajendra Singh Shastriji

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 28-09-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Forbesganj (S) Police Station Case No. 364 of
2016, disclosing offences under Sections 341/323/324/325/
379/504/506/307/34 of the Indian Penal Code.

These petitioners, who belong to the same
family inasmuch as petitioner nos. 1 and 2 are full brothers
and petitioner no. 3 is wife of petitioner no. 2, have been
made accused of assaulting the informant's husband with
lathi, danda etc.

Learned Counsel appearing on behalf of the

petitioners appears to be right in his submission that the allegation in the First Information Report is general and omnibus.

Learned Counsel appearing on behalf of the informant has submitted that considering the gravity of the offence, the petitioners should not be granted anticipatory bail.

I find substance in the submission advanced on behalf of the petitioner.

This application stands accordingly allowed.

Let the petitioners, namely, Sarfaraz, Sajjad and Bibi Sarifa @ Sharifa, 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, Araria, in connection with Forbesganj (S) Police Station Case No. 364 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.)