

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4517 of 2016

Arising Out of PS.Case No. -79 Year- 2015 Thana -NAUHATTA District- SAHARSA

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1. Md. Ido Son of Late Sheikh Sukho
 2. Subeda Khatoon wife of Md. Musso
 3. Dukhiya Khatoon wife of Md. Ido
 4. Zahira Khatoon wife of Md. Almin All residents of Village- Madarsa Tola, Nauhatta, P.S. Nauhatta, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. C.Jawahar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-02-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 323, 504, 447, 307, 427, 379 and 363 of the Indian Penal Code.

The prosecution case is that the accused persons dismantled the hut of the informant and on protest being made, co-accused Md. Masso assaulted with lathi on the head of the father of the informant and when the informant and his wife came to rescue, they were also assaulted. The accused persons also damaged three mango trees when co-accused Subeda Khatoon took silver locket of the wife of the informant and the accused persons also took away the son and daughter of the informant.

It is submitted by learned counsel for the petitioners that the injury of father of the informant has been found to be simple when specific accusation of assault is against co-accused Md. Masso. Accusation against the petitioners is omnibus and general. For the occurrence of 09.04.2015, the FIR was lodged on 17.04.2015. At earlier point of time, petitioners' side lodged a case being Nauhatta P.S. Case No. 73 of 2015 against the informant. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa in connection with Nauhatta P.S. Case No. 79 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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