

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27598 of 2016

Arising out of PS.Case No. -1588 Year- 2015 Thana -BHAGALPUR COMPLAINT CASE District- BHAGALPUR

1. Md. Yasin Khan, son of Late Md. Sajid Khan.
2. Md. Qumruzzaman Khan @ Qumruzzaman Khan.
3. Md. Najmuzzaman Khan @ Najmuzzaman.
4. Md. Tanweeruzzaman @ Tanwir @ Tannu. Petitioner nos. 2 to 4 sons of Md. Yasin Khan.
5. Md. Ayub, son of Late Md. Fida Hussain.
6. Md. Kasif Qamar @ Kasif Khan @ Kasif, son of Md. Qumruzzaman Khan.
7. Md. Asif Raza @ Asif Khan @ Asif, son of Israil Khan. All resident of Village- Samastipur, Police Station- Shahkund, District- Bhagalpur.

.... Petitioners

Versus

1. The State of Bihar.
2. Madra Begum, wife of Shahid Alam. Resident of Village- Samastipur, Police Station- Shahkund, District- Bhagalpur.

.... Opposite Parties

Appearance :

For the Petitioners : Mr. Md. Najmul Hodda, Advocate.
For the State : Mr. Satyendra Narayan Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No. 1588 of 2015 for the offences instituted under Sections 323, 341, 379 and 384/34 of the IPC.

The prosecution story, in brief, is that the complainant has an ancestral pond and on non-fulfilment of ransom, all the



accused persons entered into the house of the complainant having Lathi, Danda, Bhala, sword etc., and started to abuse and searching her husband and son. When the complainant protested upon which accused Yasin Khan ordered to beat her upon which accused Qamruzzaman caught hold the hair of the complainant and also beaten her with fist and slaps as well as also taken away ornaments, clothes etc. from the box. On hulla, some of the neighbours and others came there and save her life. Due to occurrence, the informant suffered loss of Rs. 50,000/-. When she went to local police station, the S.H.O. sent her to Mahila P.S. but could not be lodged case against the accused persons and also sent through registered post to S. S. P. but could not be lodged due to that filed this complaint petition after some delay

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is a case and counter case between the parties. The case of the petitioners was filed earlier prior to the present complaint case. The alleged occurrence is said to have taken place due to a petty reason.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

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 Complaint Case No. 1588/2015 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 S.D.J.M., Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)