

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.365 of 2016

Arising Out of PS.Case No. -260 Year- 2015 Thana -ARARIA District- ARARIA

- =====
1. Md. Majid son of Md. Hasruddin
 2. Md. Majamil @ Md. Mujamil son of Md. Hasruddin
 3. Md. Majabul son of Md. Hasruddin
 4. Bibi Saina daughter of Md. Hasruddin
 5. Bibi Dilbari daughter of Md. Hasruddin
 6. Md. Hasruddin @ Hasruddin son of Late Nabi Hasan
- All are residents of village- Belwa Bangali Tola, Ward No.5, P.S.-
Araria, District -Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 12-01-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Araria P.S. Case No.260 of 2015 registered under Sections 341,
323, 379, 307 and 354/34 of the Indian Penal Code.

It is contended that there is no specific allegation against
petitioner no.4, namely, Bibi Saina and petitioner no.5 Bibi
Dilbari. The offence punishable under section 354B would also
not be attracted against them.

Regard being had to the allegations made in the FIR, in

the event of arrest or surrender in the court below within six weeks from today, **petitioners Bibi Saina and Bibi Dilbari are directed to be released on bail** on furnishing bail bond 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 Araria P.S. Case No.260 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

So far other petitioners, namely, **Md. Majid, Md.Majamil @ Md. Mujamil, Md.Majabul and Md. Hasruddin @ Hasruddin** are concerned, in view of the **allegations made against them that they outraged the modesty of the informant and assaulted her as also her husband, I am not inclined to grant them pre-arrest bail. Accordingly, their prayer for grant of anticipatory bail is rejected.**

In case, they surrender and seek bail, the same shall be considered on its own merits without being prejudiced in any manner by the order passed by this Court.

(Ashwani Kumar Singh, J)

Md.S./-

U		T	
---	--	---	--