

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38118 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -JHANJHARPUR District- MADHUBANI

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1. Md. Jakaullah @ Md. Zakaulla Son of Late Jamil Ahmad,
 2. Md. Nurhassan @ Noor Hassan Son of Late Md. Usman,
 3. Md. Lutfur Rahman Son of Late Md. Jamil Ahmad,
 4. Md. Manhe @ Md. Kaisar @ Md. Kaushar Ali Son of Late Jamil Ahmad.
 5. Md. Afzal Son of Late Md. Mintullah,
 6. Md. Nausar @ Md. Nanhe @ Naisar Son of Late Md. Jalil
 7. Rehana Khatoon @Bebi Wife of Md. Kansar Chanaura Goth P.S. Jhanjharpur District Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 14-09-2016 Heard Sri Gagandeo Yadav, learned counsel for the petitioners and Sri Ramchandra Singh, learned Additional Public Prosecutor.

Seven petitioners, apprehending their arrest in Jhanjharpur P.S. Case No. 46 of 2016 registered for the offence under section 147, 148, 149, 323, 341, 379, 307, 354(A), 427, 504 of the Indian Penal Code, have prayed for grant of bail in the event of their arrest or surrender.

It was submitted by learned counsel for the petitioners that there was case and counter case in between the parties. He submits that land dispute is apparent from the F.I.R. itself. He

further submits that injuries were received from both sides and as such according to learned counsel for the petitioners it is a fit case for grant of anticipatory bail. So far petitioner no. 7 is concerned he submits that even female family members of the petitioners have been made accused to make the offence serious and allegation against the petitioner no. 7 has been made that she snatched something.

In view of the nature of accusation so far petitioner no. 1 to 6 are concerned I do not find any ground to extend the privilege of anticipatory bail. However so far petitioner no. 7 is concerned, keeping in view the fact that she is a lady and allegation which has been alleged against petitioner no. 7, in the event of arrest or surrender within a period of six weeks from today, let the petitioner no. 7 Rehana Khatoon @ Bebi be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Jhanjharpur, Madhubani / concerned court in connection with Jhanjharpur P.S. Case No. 46 of 2016 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure.

It goes without saying that if petitioner no. 1 to 6 within a period of six weeks from today, appear before the court

below and make a prayer for regular bail, the learned court below without being prejudiced with this order may examine the same and pass appropriate order in accordance with law preferably on the same day.

(Rakesh Kumar, J)

Praful/-

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