

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52739 of 2016

Arising Out of PS.Case No. -358 Year- 2012 Thana -SARAIYA District- MUZAFFARPUR

=====

1. Najma Khatoon, Daughter of Md. Mahbood Alam, Wife of Jeyaulhaqu, permanent Resident of Village- Bahadurpur, P.O.+P.S.- Goraul, District- Vaishali, Naihar address- Resident of Village- Basantpur Patti, P.S.- Saraiya, District- Muzaffarpur.

2. Phaijan Ahmad, son of Md. Mahboob Alam, Resident of Village- Basantpur Patti, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This is an application for grant of anticipatory bail for offences punishable under Sections 447, 341, 323, 324, 504, 379/34 of the Indian Penal Code.

Petitioners are named in the First Information Report.

It has been submitted on behalf of the petitioners that the dispute arose between the parties for *rasta*. General and omnibus allegation of assault has been levelled against these petitioners and the Police has submitted final report in this case, finding the allegation of assault untrue. However, learned Magistrate has



taken cognizance. However, no specific allegation has been made against these petitioners.

Learned A.P.P. for the State also could not controvert this fact that except general and omnibus allegation, there is nothing against these petitioners.

Considering the facts and circumstances of the case and the nature of offence, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within a period six weeks, be released 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 S.D.J.M. West, Muzaffarpur in connection with Saraiya P.S. Case No. 358 of 2012, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

sunil/-

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

