

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60455 of 2017

Arising Out of PS.Case No. -65 Year- 2017 Thana -TARABARI District- ARRARIA

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1. Najmun, Wife of Kuddus,
 2. Kuddus, Son of Late Rasool,
- Resident of Village- Koshikapur, P.S.- Araria, Dist.- Araria.
3. Taimun, Wife of Moheuddin, Resident of Village- Barhat, P.S. Palasi,
- Dist.- Araria.
4. Abbas, Son of Late Idrish,
 5. Anjum, Wife of Abbas.
 6. Rafique, son of Abbas,
- Sl. Nos. 4, 5 and 6 are resident of Village- Pairwakhuri, P.S.- Tarabari, Dist.- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Tarabari P.S. Case No. 65 of 2017** instituted for the offence under Sections 147, 148, 149, 341, 323, 379, 354(B), 452, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that daughter of the informant has performed marriage with son of petitioner No. 4. The informant accepted the said marriage but petitioner No. 4 is not ready and only to put pressure upon



petitioner No. 4 and his family, the instant case has been filed.

The daughter of the informant namely, Masuda Khatoon has given statement under Section 164 Cr. P.C.in Garabadi P.S. Case No. 74 of 2016, which was filed earlier by the informant for kidnapping of his daughter, wherein she has stated that she has voluntarily performed marriage with Najeeb.

In the instant case there is general and omnibus allegation against this petitioner and on the alleged date of occurrence, they abused the informant and his family members and also assaulted with fists, slaps, lathi, danda etc. It further appears that the occurrence is said to have taken place on 26.7.2017 and the First Information Report was lodged on 4.8.2017 and no explanation has been given for such delay.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Tarabari P.S. Case No. 65 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **Sri S. Kumar II, learned Additional Chief Judicial Magistrate-V, Araria**, subject to the conditions as laid down under Section 438



(2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

S.Ali/-

(Sanjay Priya, J)

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