

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5805 of 2017

Arising Out of PS.Case No. -334 Year- 2016 Thana -BAKHTIARPUR District- SAHARSA

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1. Suleman @ Md. Suleman S/O Md. Alim
 2. Abdul Alim @ Abdul Alim Shah S/O Late Karim Sah
 3. Md. Abdul Mannan @ Abdul Mannan S/O Abdul Karim Sah
 4. Md. Hannan @ Md. Hannan Sah S/O Abdul Alim Sah
 5. Md. Furkun @ Md. Furquan S/O Abdul Alim
 6. Md. Sultan S/O Abdul Alim
 7. Md. Samir S/O Abdul Rajjak
 8. Rajbi Khatoon @ Rajjbi Khatoon D/O Abdul Mannan @ Md. Abdul Mannan. All are resnet of Village- Bakhatiyarpur Basti, P.S. Bakhatiyarpur, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 07-04-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Bakhatiyarpur P.S. Case No. 334 of 2016 for the offences punishable under sections 147, 148, 149, 341, 323, 452, 345 (A), 307, 504 and 506 of the I.P.C.

Allegedly, the petitioner Suleman @ Md. Suleman caught the hand of the informant and proposed to marry with her and on protest started committing forceful act, resulting cloth of the informant was torn and she raised alarm and when her husband



came Suleman assaulted him with brick causing injury and then Suleman called his persons and then they came with iron rod and started assaulting causing injury to Md. Irfan, Md. Yusuf, Md. Sadiya Praveen, Md. Ibram, Md. Gmar Faruque and Md. Rabban. Earlier also Md. Suleman has entered into the house of the informant and closed her in the Latrin room and teased her.

Submission is of false implication and that no offence under section 307 of the I.P.C. is made out, the injuries are not grievous rather are simple in nature, the petitioners have been got implicated with oblique motive, there is case and counter case, there was free fight between the parties and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners.

In the facts and circumstances as stated above, considering the allegation attributed against petitioner no.1, namely, Suleman @ Md. Suleman, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected.

So far petitioner nos. 2 to 8 are concerned, they, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail



on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Saharsa in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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