

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9125 of 2017

Arising Out of PS.Case No. -13 Year- 2016 Thana -SIDHWARA District- DARBHANGA

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1. Md. Sufaid, Son of Md. Yasin.
 2. Phoolwaso Khatoon, Wife of Ahasanul Haque.
 3. Roksana Khatoon, Wife of Late Yasin.
 4. Md. Rijawan.
 5. Tujar Babu.
 6. Ajamayeen. All sons of Ahasanul Haque, resident of Village-
Chamanpur, P.S.- Singhwara, District- Darbhanga.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party : Mr. Sri Ahmad Ali (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-03-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection
with Singhwara P.S. Case No. 13 of 2016, registered for the
offences punishable under Sections 341, 323, 307, 379, 504/34 of
the Indian Penal Code.

Allegedly, in the house of Md. Sufaid, the informant
saw her mobile in charging position and she identified her mobile
and took the mobile in her hand and was coming to her house then
petitioner no.1 Md. Sufaid gave order to other accused persons to
assault her and then seven accused persons named in the F.I.R.



came in the house of the informant and started assaulting the informant with fists, slaps and knife and then they took away silver ornament and cash of Rs. 5200/-. The accused Khair Babu has assaulted with knife on her head causing bleeding.

Submission is of false implication and that fardbeyan has been lodged at Bisfi Primary Health Center by A.S.I. of Bisfi P.S. though the informant is resident of Chamanpur P.S. Singhwara. The informant went at her maika which is at Bisfi and there lodged the case. No offence under Section 307 of the I.P.C. is made out as there is no allegation that Khair Babu repeated blow, against the petitioner nos.2 to 6 there is no specific allegation, the allegations are general and omnibus in nature. In the impugned order, the injury is mentioned which is simple in nature and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that the petitioners have assaulted the lady after entering into her house.

In the facts and circumstances as stated above, considering that only one injury has been caused to the informant which is simple in nature and, as such, the petitioners in the event 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 learned Judicial Magistrate 1st Class, Darbhanga in connection with Singhwara P.S. Case No. 13 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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