

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55321 of 2017

Arising Out of PS.Case No. -135 Year- 2017 Thana -MANJHI District- SARAN

- =====
1. Babuddin Mian.
 2. Raju Mian.
Both Sons of Akhtar Mian.
 3. Hajrat Mian, Son of Islam Mian.
 4. Botal Mian, Son of Jabir Mian.
- All residents of Village - Balmukund Das Ke Mathiya, P.S. - Manjhi,
District - Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 29-11-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Manjhi P.S. Case No.135 of 2017 registered under Sections 341,
323, 324 and 354/34 of the Indian Penal Code.

The accusation is that the informant Uday Bhan Sharma
was present at the house of Bakridan Khatoon where her
granddaughter Nisha Khatoon had come to sing the song. In the
meantime, Ijhar Mian alongwith eight persons came there and
caught hold of the hand of Nisha Khatoon and tried to forcibly



take her away. Thereafter, Irshad Mian and Arju Mian started to pull Nisha Khatoon forcibly. When the protest was made they started to outrage her modesty. When the informant asked them to leave Nisha Khatoon and made protest, Irshad Mian caused injury at the head of the informant due to which he fell down. Thereafter, Chhotan Mian, Najir Mian and these petitioners caused injury to the informant through lathi and danda.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that there is allegation against Irshad Mian and Arju Mian to take away Nisha Khatoon forcibly with further allegation against Irshad Mian to cause injury at the head of the informant. So far as these petitioners are concerned, there is allegation against them that they alongwith two others, namely, Chhotan Mian and Nazir Mian caused injury to the informant through lathi and danda. In fact, the petitioners were present at the time of occurrence, due to that reason, they have falsely been implicated in this case. Moreover, four injuries, as found on the person of the informant, are simple in nature caused by hard and blunt substance. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest



or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-V, Saran, Chapra, in connection with Manjhi P.S. Case No.135 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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