

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46595 of 2017

Arising Out of PS. Case No.-260 Year-2017 Thana- GOPALGANJ TOWN District-
Gopalganj

-
1. Sakina Khatoon, Wife of Samim Ansari,
 2. Tairun Khatoon @ Tairan Khatoon @ Barunesha Wife of Late Id. Mohammad.
 3. Shamsun Nesha, Wife of Naim Miya.
 4. Jukrun Khatoon @ Jukas Khatoon, Wife of Kalim Ansari,
 5. Khatija Khatoon, Wife of Amin Ansari.
 6. Umar Alam, Son of Naiem Miya @ Naiem Ansari.
 7. Masoom Alam, Son of Amin Ansari,
 8. Saheb Hussain, Son of Shamin Ansari, All are resident of Village- Bhitbherwa, P.S. Nagar, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh
For the Opposite Party/s : Mr. SRI MADAN KUMAR

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Gopalganj Nagar P. S. Case No. 260 of 2017 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

In the first information report against the petitioners there is allegation that they being armed entered into the house of the informant, abused and assaulted and torn the clothes of the family members and further snatched earring and chain and Aftab Alam was assaulted by Nayim Mian and Sahzad Alam by the butt of spade on his head and chest resulting, he became seriously injured and during



treatment he died.

Submission is of false implication and that against the petitioners there is no specific allegation, for assaulting the deceased specific allegation is against Nayim Mian and Sahjad Alam. The petitioners have been implicated due to civil dispute as title suit is pending in between the parties and as such the petitioners deserve sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering that against the petitioners there is no specific allegation for assaulting Aftab Alam, the petitioners above named, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Nagar P. S. Case No. 260 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

avin/-

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

