

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17771 of 2018

Arising Out of PS.Case No. -352 Year- 2017 Thana -TRIVENIGANJ District- SUPAUL

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1. Md. Mabud @ Md Mahbud
2. Md. Jainul Both Sons of late Mansur Miya
3. Johra Khatoon W/o md Mabud@ Md. Mahbud
4. Bibi Batulan@ Most. Batulan Khatoon Wife of late Mansur Miya
5. Bibi Jalokha @ Jalekha Khatoon@ Julekha Khatoon Wife of Md. Jainul

All resident of Village- Karharwa, Police Station- Triveniganj, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 05-04-2018

Heard both sides.

The petitioners apprehend their arrest in Triveniganj P.S. case No. 352 of 2017 under Section 448, 323, 307, 324, 380/34 of the Indian Penal Code.

The informant named the petitioners along with other accused persons and alleged that Md. Tabij assaulted her with Farsa on her head. Md. Majid assaulted her with iron rod on her neck. Md. Jainul, petitioner No.2, assaulted her with Lathi on her nose. It is further alleged that all the accused persons indiscriminately assaulted her. Md. Kadir tried to put night-soil in her mouth.

The learned counsel for the petitioners submits that save and except petitioner No.2, there is no allegation of assault against other four petitioners, out of which three are ladies. Jainul



is alleged to have assaulted the informant with Lathi on her nose and the doctor found the injury on nose to be grievous.

Considering the nature of allegation made against petitioner No.2, Md. Jainul, his prayer for anticipatory bail is rejected.

So far as case of petitioner No.1. Md. Mabud @ Md. Mahbud, 3. Johra Khatoon, 4. Bibi Batulan @ Most. Batulan Khatoon and 5. Bibi Jalokha @ Jalekha Khatoon @ Julekha Khatoon are concerned, there is no specific allegation of assault against them.

Considering the facts aforesaid, the petitioners No.1, 3, 4 and 5, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Supaul in connection with Triveniganj P.S. case No. 352 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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