

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26657 of 2018

Arising Out of PS.Case No. -172 Year- 2017 Thana -NAUHATTA District- SAHARSA

=====

1. Md. Ayub @ Aiuja Sekha @ Aiju Sheikh, S/o Samsul Sheikh,
2. Nasima Khatoon W/o Hira Sheikh,
3. Jugna Mian S/o Md. Ayub @ Aiuja Sekha @ Aiju Sheikh,
4. Chhote Mian S/o Md. Ayub @ Aiuja Sekha @ Aiju Shaikh, All
Residents of Barhara, P.S.- Nauhatta (Darhar O.P.), District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Khurshid Anwar

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in a case instituted
for the offences under Sections 147, 341, 323, 307, 379, 504
and 506 of the Indian Penal Code.

Petitioner nos. 1 and 3, namely Md. Ayub @ Aiuja Sekha
@ Aiju Sheikh and Jugna Mian, have criminal antecedent.
Allegation has been made against petitioner no.4, Chhote Mian
to have caused injury on the victim by Farsa. There is no such
allegation against petitioner no.2, Nasima Khatoon.

Looking to the facts and circumstances of the case, in
the event of arrest or surrender within four weeks from today,



let petitioner no.2, namely, Nasima Khatoon, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate III, Saharsa in connection with Nauhatta P.S. Case No.172 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner for investigation or interrogation she will present himself before the police. In the event on being absent on two consecutive dates this order will be treated to have been withdrawn.

With respect to petitioner nos. 1, 3 and 4, namely, Md. Ayub @ Aiuja Sekha @ Aiju Sheikh and Jugna Mian, and Chhote Mian, this Court is not inclined to enlarge them on anticipatory bail. Accordingly their prayer for bail is rejected. However, if the aforesaid petitioners surrender before the court below within a period of four weeks from today, the court below will pass an order on its own merit without being prejudiced by the order passed by this Court.

Vinay/-

(Shivaji Pandey, J)

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

