

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52922 of 2018

Arising Out of PS.Case No. -50 Year- 2018 Thana -PALASI District- ARRARIA

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1. Md. Manzar Alam @ Md. Mazoor, Son of Late Jalal,
 2. Md. Rahim, Son of Late Muslim,
 3. Md. Zakir, Son of Md. Rahim,
 4. Bibi Sabuda @ Sabuda Khatoon, Wife of Rahim,
 5. Bibi Samina @ Samina Khatoon, Wife of Manzar Alam,
 6. Mahboob @ Mahboob Alam, Son of Late Afaqque,
 7. Md. Karim @ Abdul Karim, Son of Late Suleman, All residents of Village- Suhagpur, P.S.- Palasi, District- Araria, Bihar.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Kumar Sharma, Advocate.

For the Opposite Party : Smt. Veena Rani Prasadd., A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 323, 354(B) and 504/34 of the IPC.

The prosecution story, in brief, is that on 12.02.2018 at 7.30 A.M., while the cousin brother of the informant, namely, Razi Ahmad was returning after attending the call of nature, petitioner no. 1 Md. Manzar, petitioner no. 2 Md. Rahim and petitioner no. 3 Md. Zakir put *Muffler* around his neck and



forcibly dragged him into the courtyard and started assaulting him. The mother of the informant raised objection upon which the petitioners assaulted her and tore her clothes. The petitioner no. 4 Bibi Sabuda and petitioner no. 5 Bibi Samina also assaulted the informant due to that she became senseless and in the meantime other petitioners came there and ordered to kill them. The petitioners assaulted the informant on her abdomen while she was carrying three months pregnancy due to that blood started oozing. The informant was medically treated at Palasi and she was referred to Araria and then Purnea and anyhow her life could be saved.

It has been submitted by learned counsel for the petitioners that the petitioner nos. 1 to 5 and 7 have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. It is case and counter case between the parties. The petitioners have falsely been implicated in the present case due to land dispute. Both parties are agnates.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender



before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Araria, in connection with Palasi P.S. Case No. 50/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

