

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51711 of 2018

Arising Out of PS.Case No. -190 Year- 2018 Thana -BAHADURGANJ District- KISANGANJ

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1. Zahirul @ Tetna, S/o Late Atabur Rahman,
 2. Alim @ Md. Aum S/o Late Hanif,
 3. Yashmin @ Yasmin Begum W/o Zahirul @ Tetna,
 4. Mahenaz @ Mehnaz Begum W/o Alim, All R/o Vill.- Babhantoli, P.S.- Bahadurganj, District- Kishanganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ram Prawesh Kumar, Advocate.
For the Opposite Party : Mr. Mritunjay Kumar Nirala, A.P.P.
For the Informant : Mr. Dilip Kumar Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-09-2018 Learned counsel for the petitioners is permitted to make necessary correction in paragraph no. 3 of the bail application in light of supplementary affidavit filed on behalf of the petitioners, in course of the day.

Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 323, 307, 379 and 504/34 of the IPC.

The prosecution story, in brief, is that on 14.06.2018 at about 8.00 P.M., when the informant was sitting at her house



suddenly by the grudge of previous enmity, the accused persons came and started assaulting and threatened to kill her. Due to which, she sustained serious injury and blood loss and during course of assault, Zahirul @ Tetna torn her Sari and blouse and snatched ornaments and Rs. 3000/- from her.

It has been submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is case and counter case between the parties. The alleged occurrence is said to have taken place due to land dispute. As per injury report, two injuries are said to be simple in nature and one injury is said to be grievous. Grievous injury is said to be on non-vital part of the body. Hence, no offence under Section 307 of the IPC is made out.

On behalf of the State and informant, it is 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) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Kishanganj, in



connection with Bahadurganj P.S. Case No. 190 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

