

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62358 of 2018

Arising Out of PS.Case No. -83 Year- 2018 Thana -GOVINDGANJ District- EASTCHAMPARAN
(MOTIHARI)

- =====
1. Kaimuddin Mian @ Kayum Mian @ Kaim Ansari @ Kayum Ansari,
S/o Mobin Ansari @ Mobin Ansari,
 2. Karmullah Ansari, S/o Kyum Ansari @ Kaimuddin Mian @ Kayum
Mian @ Kaim Ansari,
 3. Fakhare Alam @ Fakhare Alam Ansari, S/o Hamid Mian, All Residents
of Vill.- Chintamanpur, P.S.- Malahi, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 147, 148, 149, 341, 323,
324, 307, 354, 448, 509, 379 and 120(B) of the IPC.

The prosecution story, in brief, is that on 18.04.2018
at about 12.00 P.M., the informant alongwith his family members
were sleeping then F.I.R. named accused persons including the
petitioners forming an unlawful assembly armed variously by
breaking the *Fatak*, his brother Kirani Sah and neighbour Fuldeo
Sah, Gobardhan Sah and Jainath Sah entered into the house with



intent to commit *loot-pat* and rape. On oppose, all assaulted the informant. Fulmati Devi, Tara Devi, Umakant Sah, Kirani Sah, Raja Babu, Kalawati Devi, Lakhapatia Devi, Radha Kumari by means of *Danda*, *Belt*, *Hocky-stick* and *knife* etc., and they all become injured. On hulla, the villagers gathered and the accused persons fled away giving threat to them. It is further stated that the accused persons committed *loot-pat* of ornaments worth Rs. 40,000/- and cash of Rs. 20,000/-.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The matter has already been compromised between the parties vide Annexure-2 to the present application.

On behalf of the State, 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) each with two sureties of the like



amount each to the satisfaction of the learned C.J.M. East Champaran at Motihari, in connection with Govindganj (Malahi) P.S. Case No. 83/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

