

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1651 of 2018

Arising Out of PS.Case No. -107 Year- 2017 Thana -BAUSI District- PURNIA

- =====
1. Anjari Khatoon, W/o Md. Yasin,
 2. Sajjad, S/o A. Hafiz,
 3. Zainab @ jainab, W/o Abu Talib,
 4. Malaika @ Malaka, D/o Abu Talib,
 5. Zehra @ Jahera, D/o Yasin, All are R/o Village- Ghosh West Shripur,
P.S.- Baisi in the District of Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sri Ajit Kumar

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 11-01-2018

Heard learned counsel for the petitioners

and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 332, 324, 307 and 379 of the Indian Penal Code.

The prosecution case as per the written report of Md. Nazir submitted to the Officer-in-Charge, Baisi Police Station is to the effect that on 05.06.2017 at 9.00 A.M. the FIR named accused persons, came being variously armed and started digging ditch for the construction of toilet in front of the



house of the informant. On protest being made, the accused persons indiscriminately assaulted the informant causing injury to the informant and due to the pelting of stones, one neighbourhood child namely, Salman also received injury. On arrival of the co-villagers the accused persons escaped from the scene, but they again returned at 5.00 P.M., assaulted the informant and it is specifically alleged that co-accused Md. Yasin gave Farsa blow on the head of the informant and co-accused Asteja Khatoon gave lathi blow and also throttled the neck of the informant. It is also alleged that the accused persons snatched ornaments and cash of Rs.10,000/- from the informant and his wife.

It is submitted by learned counsel for the petitioners that the petitioners are agnates of the informant and petitioners' side lodged Baisi P.S. Case No. 106 of 2017 with accusation under Sections 147, 148, 149, 341, 448, 323, 324, 325, 379, 504 and 307 of the Indian Penal Code on 08.06.2017 at 5.00 P.M. against the informant side, whereas the present FIR was registered on 08.06.2017 at 5.30 P.M. The injuries of the informant and his wife have been found to be simple. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.



Considering the fact that the specific accusation of assault is only against co-accused Md. Yasin, who is petitioner before this Court, case lodged by the petitioners' side at earlier point of time and the injuries have been found to be simple, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 107 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

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

