

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75329 of 2018

Arising Out of PS. Case No.-397 Year-2017 Thana- RUNISAIDPUR District- Sitamarhi

1. Md. Kashim Nadaf @ Md. Kashim son of Md. Mahmood Nadaf
2. Md. Hasim Nadar @ Md. Hasim Nadaf @ Md. Hasim, son of Md. Mahmood Nadaf
3. Sahida Khatoon, wife of Md. Hasim Nadaf @ Md. Hasim
4. Saimul Khatoon @ Saimun Khatoon, wife of Md. Kashim Nadaf @ Md. Kashim
5. Majeeda Khatoon @ Maida Khatoon Daughter of Md. Mahmood Nadaf, All Resident of Village- Thahar, P.S. Runnisaidpur, District- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioners as well as
learned counsel for the State.

Petitioners apprehend arrest in a case registered for
offence under sections 341, 323, 308, 506,504/34 of the Indian
Penal Code.

It is submitted on behalf of the petitioners that the
petitioners have falsely been implicated in this case due to
subsisting dispute between the parties. He submits that the First
Information Report has been lodged after delay of five days



which shows falsity of the allegation and save and except section 308 IPC other offences are bailable.

This Court would find that over a minor dispute regarding catching the goat of petitioners who was grazing informant's Litchi plant, petitioners assaulted the informant by means of Lathi, Danda causing him injuries.

In view of nature of injuries sustained by the informant, the prayer for anticipatory bail to petitioners no. 1 and 2 is rejected.

Petitioners no. 3, 4 and 4, who are female members of the family, as mentioned above, in the event of arrest/surrender within four weeks, are directed to be released on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in Runnisaipur Police Station Case No. 397 of 2017 on the following conditions:-

One of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners and

The Petitioners will be well represented on each



date and if they fail to do so on two consecutive dates, their
bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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