

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3431 of 2019

Arising Out of PS. Case No.-70 Year-2018 Thana- BHARGAMA District- Araria

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1. Md. Mushfique, aged about 25 years (Male), S/o Md. Khurshid
 2. Md. Shahban @ Md. Shahaban Alam, aged about 21 years (Male), S/o Md. Khurshid
 3. Shahzadi @ Shahzadi Khatoon @ Shahzadi Pravin, aged about 19 years (Female), D/o Md. Khurshid
- All are resident of Village - Gajbi Shankarpur, P.S. Bhargama, Dist. Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 18-02-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Bhargama P.S. Case No. 70 of 2018 registered for offences under sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

There is a case and counter case from both sides.

The Informant has appeared and stated that the learned counsel for petitioners has suppressed the fact with regard to criminal antecedent.

Today, a supplementary affidavit has been filed accepting that earlier a criminal case was lodged against the



petitioner no.1 but, that was compromised and the petitioner no.1 was acquitted.

Looking to the entire facts and circumstances of the case, this Court is not inclined to granted privilege of anticipatory bail to the petitioner nos. 1 & 2.

Accordingly, the prayer for anticipatory bail of the petitioner nos. 1 & 2, above named, is rejected.

However, keeping in view the petitioner no.3 being lady having no criminal antecedent, let the petitioner no.3, above named, in the event of her arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Bhargama P.S. Case No. 70 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call her for investigation/interrogation, she will remain present and if she would not present herself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

If the petitioner nos. 1 & 2 would surrender before the court below within a period of three weeks from today and pray



for bail, the court below, without being prejudiced by this order,
will pass orders in accordance with law expeditiously preferably
on the same day of their appearance.

(Shivaji Pandey, J)

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