

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5919 of 2019

Arising Out of PS. Case No.-399 Year-2018 Thana- KADWA District- Katihar

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1. Md. Mujammil, Male, aged about 48 years.
 2. Md. Baharuddin, Male aged about 48 years.
 3. Abdul Rauf, Male, aged about 55 years.
 4. Md. Sajjad, Male aged about 53 years.
- All are sons of Late Abdul Kuddus and all are residents of Village- Bhattabari,
Police Station-Kadwa, District-Katihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Abdul Wadood, Advocate.
For the Opposite Party : Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-02-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a
case for the offence registered under Sections 147, 148, 149,
341, 323, 379, 354, 504 and 506 of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioners on 29.11.2018 while the
informant was at her field with her family members, in the
meantime, accused persons alongwith other having with deadly
weapons arrived there and assaulted the informant by their
respective arms. In course of occurrence, petitioner no. 1
Mozamil assaulted the son-in-law of informant on his head by
Iron rod, thereafter, all the petitioners Baharuddin, Abdul Rauf,



Md. Sajjad and Mujammil outraged the modesty of informant.

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. Due to family dispute, the present case has been instituted by the wife of younger brother. Offences are triable by the Magistrate.

On behalf of the learned counsel for the State, it has been 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. Katihar, in connection with Kadwa P.S. Case No. 399 of 2018 being G.R. No. 5241 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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