

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8471 of 2019

Arising Out of PS. Case No.-95 Year-2018 Thana- LAHERIYASARAI District- Darbhanga

1. AISHA SABI, Wife of Md. Azam Hussain Khan, Resident of Mohalla-Shahsupan, P.O.- Lalbagh, P.S. Laheriyasarai, Dist. Darbhanga
2. Zainab Md. Khan, son of Md. Azam Hussain Khan, Resident of Mohalla-Shahsupan, P.O.- Lalbagh, P.S. Laheriyasarai, Dist. Darbhanga

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bhubneshwar Prasad
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-04-2019 Petitioners seek bail in anticipation of their arrest in connection with Laheriyasarai P.S. Case No. 95 of 2018, registered for the offences punishable under Sections 341, 323, 307, 506 and 313/34 of the Indian Penal Code.

Allegation against the accused persons, including the petitioners is that they assaulted the informant by fists and slaps on 24.1.2018 and on 17.2.2018 petitioner No.1 again assaulted the informant causing miscarriage of her pregnancy.

Submission of learned counsel for the petitioners is that the informant is none else but step daughter-in-law of petitioner No.1 and there is property dispute between the parties with respect to realisation of rent and for that petitioner No.1



made a complaint against the complainant in which proceeding under Section 107 Cr.P.C. was initiated against the complainant and others. Further submission is that the matter was investigated by the police and in paragraph-17 of the case diary it has come that the complainant was not carrying any pregnancy and she was suffering from bleeding and for that Doctor has provided some medicine to her and petitioners have falsely been implicated due to enmity.

Heard learned APP and learned counsel for the informant, who has opposed the prayer for anticipatory bail on the ground that miscarriage was caused due to assault.

Having heard both sides and in the facts and circumstances, let petitioners, above named, in the event of arrest or surrender within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Laheriasarai, Dist. Darbhanga, in connection with Laheriasarai P.S.Case No. 95 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the petitioners shall be a local person having sufficient



immoveable properties within the jurisdiction of the court
concerned.

(Vinod Kumar Sinha, J)

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