

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13360 of 2019

Arising Out of PS. Case No.-884 Year-2018 Thana- FORBESGANJ District- Araria

1. Apsar, Wife of Md. Balal, R/o village- Doria, Sonapur, Ward No. 16, P.S- Simraha, District- Araria
2. Firoj, Son of Badar, R/o village- Doria, Sonapur, Ward No. 16, P.S- Simraha, District- Araria
3. Bibi Sabana, Wife of Md. Saddam, R/o village- Doria, Sonapur, Ward No. 16, P.S- Simraha, District- Araria
4. Bibi Mahmadi, Wife of Late Habib, R/o village- Doria, Sonapur, Ward No. 16, P.S- Simraha, District- Araria
5. Bibi Nanni, Wife of Mohammad, R/o village- Doria, Sonapur, Ward No. 16, P.S- Simraha, District- Araria
6. Md. Belal @ Md. Balal, Son of Badar Ali, R/o village- Doria, Sonapur, Ward No. 16, P.S- Simraha, District- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners are apprehending arrest in a case registered
for the offences punishable under Sections 341, 323, 216, 188,
353, 332, 504 and 34 of the Indian Penal Code.



The prosecution case as per the written report of Girja Pandit, S.I. of Simraha P.S., submitted to the S.H.O., Simraha P.S. is to the effect that on 15.10.2018 at 05.00 P.M., during patrolling, the informant received an information that a wanted accused, Md. Saddam is at his house subsequently, a raid was laid and he was arrested. It is alleged against the petitioners that the petitioners along with 30-40 other co-accused persons came and scuffled with the informant and got the arrested accused, Md. Saddam free from the custody of police and thereby obstructed police in discharge of its duty. It is further alleged that the petitioners also tried to snatch the arms of the police party.

It is submitted by learned counsel for the petitioners that the accusation against the petitioners is omnibus and general and in nature and the petitioners have maliciously been roped in the present case. Moreover, for the occurrence of 15.11.2018 at 07.30 P.M., the FIR has been registered on 16.11.2018 at 09.30 A.M. It is further submitted that there is no injury caused to anyone during the alleged occurrence. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the



petitioners are named in the FIR.

Considering the delayed lodging of the FIR, the accusation being omnibus and general in nature, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, 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 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **C.J.M., Araria** in connection with **Farbesganj (Simraha) P.S. Case No.884 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

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