

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12585 of 2019

Arising Out of PS. Case No.-741 Year-2018 Thana- COMPLAINT CASE District- Araria

1. Md. Mustafa @ Mustaque, Son of Late Ali Mohammad
2. Md. Akhtar @ Akhtar Alam, Son of Md. Mustafa
3. Md. Mukhtar @ Mukhtar Alam, Son of Md. Mustafa
4. Md. Ashique @ Asif Alam, Son of Md. Mustafa
5. Bibi Jarina Khatoon, Wife of Md. Mustafa
6. Bibi Tabbasum Khatoon, Wife of Md. Akhtar
7. Bibi Guriya Khatoon @ Bibi Gudiya Khatoon D/o- Md. Akhtar

All are Residents of Village - Bhoraha, P.S.- Raniganj, District - Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Rashida Khatoon Wife of Bilat Miyan Resident of Village - Bhadaha, P.S.- Raniganj, District - Araria

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

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

In this case, the petitioners are seeking anticipatory
bail in connection with Complaint Case No. 741 C of 2018,
registered for the offence punishable under Sections 323, 380,
504 of the Indian Penal Code and Section 3/4 of Dayan Act.

Basically, the allegation has been made about the
branding the complainant as Dayan, assaulted her and
whereafter the petitioner no.5 Bibi Jarina Khatoon tried to force
to administer sloppy thing.



Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioner no.5.

Accordingly, the prayer for bail is rejected.

However, if the petitioner no.5 surrenders before the Court below within six weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order, considering the delay in lodging the complaint case, on the same day without being influenced by the order of this Court.

As there is no direct allegation against the petitioner nos. 1 to 4 and 6 to 7, let they be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate-1st Class, Araria in connection with Complaint Case No.741 C of 2018 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

V.K.Pandey/-

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