

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16910 of 2019

Arising Out of PS. Case No.-889 Year-2018 Thana- ARARIA District- Araria

1. MD. REEHAN @ MD. REHAN Son of Yasin Resident of Village- Koshakipur, Ward No. 4, P.S. and District- Araria.
2. Murtoja @ Murtaza Son of Sajid Resident of Village- Koshakipur, Ward No. 4, P.S. and District- Araria.
3. Sajid Son of Late Amin Resident of Village- Koshakipur, Ward No. 4, P.S. and District- Araria.
4. Hasmeda Wife of Sajid Resident of Village- Koshakipur, Ward No. 4, P.S. and District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-03-2019 The learned counsel for the petitioners submits that petitioner No.1, Md. Reehan @ Md. Rehan, has been arrested.

In this view of the fact, the prayer for anticipatory bail of petitioner No.1 is dismissed as has become infructuous.

Heard both sides.

The petitioners apprehend their arrest in Araria (Bairgachhi O.P.) P.S. case No. 889 of 2018 registered under Section 147, 149, 341, 380, 354B, 504, 448 of the IPC.

The informant alleged that petitioners entered into her house on the allegation that her son had stolen mobile. The accused persons assaulted her with fists and slaps and also took away different articles.

The learned counsel for the petitioners submits that the occurrence is said to have taken place on 14.12.2018 but the



informant lodged her fard bayan on 19.12.2018 before the S.H.O. There is no plausible explanation for lodging the case after five days of the occurrence. It is submitted that some verbal altercation took place due to theft of mobile.

Considering the facts aforesaid and nature of allegation made against the petitioners and the fact that the case was lodged after five days of the occurrence, the petitioners No. 2, 3 and 4, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria (Bairgachhi O.P.) P.S. case No. 889 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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