

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14911 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- FORBESGANJ District- Araria

1. Md. Khurshid, Son of Late Ainul
2. Md. Sahid, Son of Late Ainul
3. Md. Gulzar, Son of Md. Khurshid
4. Md. Rashid, Son of Late Ishaque
5. Shabnam Khatoon, Wife of Md. Sahid
6. Bibi Amna Khatoon, Wife of Late Ainul
7. Bibi Abda Khatoon, Wife of Md. Khurshid
8. Sambara Khatoon, Wife of Md. Rashid
All are residents of village- Rampur South Ward No. 13, P.S.- Forbesganj,
District- Araria.
9. Bibi Khushbu Khatoon @ Khushbu, D/o Md. Khurshid
R/o village- Haripur, Ward No. 4, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anamul Haque, Adv.
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-03-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Forbesganj P.S. Case No. 18 of 2019 registered for the offences punishable under Sections 341, 323, 324, 354(B), 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners' side and the informant's side both are related to each



other. Six days prior to the lodging of the present FIR, the wife of petitioner no.2 has lodged one FIR against the informant's side. It is submitted that the present FIR is nothing but an outburst of the first FIR lodged by the petitioners' side. Learned counsel further submits that although there are allegations against the petitioner nos.1 and 3 of assaulting the informant's side causing injuries, but so far as the other petitioners are concerned, there is no specific allegation against them.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners particularly that of petitioner nos.1 and 3 against whom there are specific allegations of assault.

Considering the facts and circumstances of the case, nature of the relationship between the parties and the nature of the injuries and the allegations and the fact that there is a counter case also, let in case of arrest or surrender of the petitioner nos.2, 4, 5, 6, 7, 8 and 9 within a period of four weeks from today, the abovenamed petitioners be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 18 of 2019 (G.R.No.97 of 2019),



subject to the condition prescribed under Section 438(2) of the Cr.P.C.

So far as the prayer for anticipatory bail of the petitioner nos.1 and 3 is concerned, the same is refused for the reason that there are specific allegations of assault against them. In case, they surrender and pray for regular bail in the court below within a period of four weeks from today, the same shall be considered on its own merit on the basis of the materials available on the record.

(Rajeev Ranjan Prasad, J)

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