

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.20784 of 2019

Arising Out of PS. Case No.-164 Year-2015 Thana- BATHNAHA District- Sitamarhi

1. MD. KASIM KHAN @ KASIM KHAN Son of Late Sadik Khan
 2. Mozima Khatoon Wife of Md. Kasim Khan @ Kasim Khan
 3. Mintu Khan @ Md. Reza Khan Son of Md. Kasim Khan @ Kasim Khan
 4. Munna Khan @ Kamar Reza Khan Son of Md. Kasim Khan @ Kasim Khan
 5. Lal Khan @ Shahid Reza Khan @ Lalu Khan @ Lalu Son of Md. Kasim Khan @ Kasim Khan
- Resident of Village - Kamaldah, P.S.- Bathnaha, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 08-05-2019 Learned counsel for the petitioners is permitted to make necessary correcting in para -1 of the petition.

Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Bathnaha P.S.Case No.164 of 2015 dated 2.7.2015 , registered for offences punishable under Sections 147, 148, 341, 323, 504, 506, 313, 511 of the Indian Penal Code.

Allegation as per FIR is that while the informant and her husband and Dewar were constructing bricks wall, the accused persons came variously arms and assaulted her husband and Dewar by Lathi and Danda. It is also alleged that the pregnancy of the informant has also been aborted.

Submission of the learned counsel for the petitioners is



that after investigation the police has submitted charge-sheet under bailable Sections that the cognizance has not been taken under Section 313 of the I.P.C. Petitioners are co-villagers.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Sitamarhi in connection with Bathnaha P.S. Case No.164 of 2015 dated 2.7.2015, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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