

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24215 of 2019

Arising Out of PS. Case No.-430 Year-2016 Thana- FORBESGANJ District- Araria

1. KALAMUDDIN @ MD. KALAMUDDIN, Male, aged about 57 years, S/O late Sayad Mian @ Late Saiyad Mian
2. Md. Ishaque, Male, aged about 42 years, S/o Md. Yakub @ Yakub, both are Residents of Village Choura Parwaha P.S. Forbesganj, District- Araria

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Abhijeet Gautam, Adv.

For the Opposite Party : Mr. Dr. Indihar Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 19-04-2019 Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State.

The petitioners seek bail in connection with Forbesganj P.S. Case No. 430 of 2016 for the offences alleged under Sections 147, 341, 342, 354B, 355, 379, 500, 504, 509 and 506 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that her husband died seven years back and she had three sons and five daughters, unable to maintain herself she married one Md. Yusuf, which was disliked by the villagers, thereafter, a Panchayati was held in which 100-150 persons were present along with 11 accused in the first information report, including the petitioners, who tonsured her head and that of her husband and made them naked and also took out their procession in the entire village after snatching her jewelry and mobile.

It has been submitted by the learned counsel for the petitioners that they are innocent, bears no criminal antecedent,



general and omnibus allegations have been levelled against them and they are languishing in judicial custody since 05.02.2019. He submits that general allegation has been made by more than 100-150 villagers and one of the named accused in the first information report has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 2046 of 2017, dated 23.01.2017.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations, the period of custody and that the petitioners do not bear any criminal antecedent, as stated in paragraph 3 of the present application, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Forbesganj P.S. Case No. 430 of 2016 to the satisfaction of the learned Chief Judicial Magistrate, Araria, or the successor Court.

(Nilu Agrawal, J)

Shamshad/-

U		T	
---	--	---	--

