

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26090 of 2019

Arising Out of PS. Case No.-221 Year-2018 Thana- SIKTI District- Araria

1. MD. AKHTAR @ AKHTAR Son of Late Navi Hassan Resident of Village - Latkharid, Ward No. 10, P.S.- Sikty, Distt - Araria.
2. Md. Tabrej Son of Late Navi Hassan Resident of Village - Latkharid, Ward No. 10, P.S.- Sikty, Distt - Araria.
3. Bibi Jubeda @ Bibi Jubda Khatoon @ Jubeda Khatoon D/o Md. Bakar @ Md. Bakkar Resident of Village - Latkharid, Ward No. 10, P.S.- Sikty, Distt - Araria.
4. Bibi Neha Khatoon @ Nita Pravin Wife of Akhtar @ Md. Akhtar Resident of Village - Latkharid, Ward No. 10, P.S.- Sikty, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 22-04-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sikty P.S. Case No. 221 of 2018, disclosing offences under Sections 341,323,307,505,506/34 of the Indian Penal Code.

It is alleged in the First Information Report that the accused Md. Akhtar was navigating his tractor through informant's field, thereby damaging the crops and on objection he abused the informant. There is allegation against accused persons of having assaulted the informant with iron rod in her head.



Learned counsel for the petitioners has submitted that delay of nearly fourteen days in lodging of the First Information Report creates a serious doubt over the case of the prosecution.

Considering the above submission, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of Sri S.K. Sharma, learned Judicial Magistrate, 1st Class, Araria in Sikty P.S. Case No. 221 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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