

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77105 of 2018**

Arising Out of PS. Case No.-225 Year-2017 Thana- ARARIA District- Araria

1. Md. Masrool @ Masroor Alam S/o late Munsii Md. Tajuddin
2. Md. Jasim S/o Md. Akbar
3. Bibi Mahima Khatoon @ Bibi Mahima D/o Masrool
4. Bibi Kausari Khatoon @ Bibi Kausari W/o Md. Masroor
All resident of Village Gaira Safipur, 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.Sri Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 12-04-2019 Heard the parties.

The petitioners are apprehending their arrest in connection with Araria P.S.Case No.225 of 2017 registered for offences punishable under Sections 341, 323, 354(B), 504/34 of the Indian Penal Code.

Allegation against the petitioners is that they have assaulted the informant and her daughter and further allegation also shows that the assault has been made on the private parts of the informant and her daughter. There is also allegation of assault on her son-in-law by Bibi Mahima Khatoon @ Bibi Mahima (petitioner no.2) by *Lathi*.

Submission of the learned counsel for the petitioners is



that there is case and counter case between the parties and further the petitioners were released by the police on undertaking given by them under Section 41 of the Cr.P.C. but they have not misused the privilege of same.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on the basis of materials as well as the fact that they were released by the police on undertaking and they have not misused the privilege of the same and considering the same, the prayer for bail of the petitioner shall be disposed of on the same day.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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