

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79535 of 2018

Arising Out of PS. Case No.-271 Year-2018 Thana- PALASI District- Araria

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1. Md. Sudhwa, S/o Md. Taslim.
 2. Md. Quiser @ Md. Quaser, S/o Md. Islam.
 3. Md. Rahman, S/o Maksud.
 4. Md. Jasim, S/o Wajuddin.
 5. Md. Taha, S/o Tasowar.
 6. Md. Wajuddin, S/o Md. Maksud.
 7. Md. Muslim, S/o Maksud .
 8. Md. Akim, S/o Usman. All are r/vill-Urlaha, P.S-Palasi, Distt.-Araria.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Mukesh Kumar Rana, Advocate.
For the Opposite Party	:	Mr. Madhuranand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-02-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 447, 341, 323, 354(B), 379 and 504/34 of the IPC.

The prosecution story, in brief, is that on 23.09.2018 at about 10.00 A.M. on account of previous dispute, accused persons, namely, Md.Sudhwa, Md. Kaisher, Md. Budhwa and Md. Rahman were abusing the informant at her door. When a protest was raised by the informant, other accused persons, namely, Md. Jasim, Md. Tahah, Md. Wajuddin, Md. Muslim and



Mr. Akim armed with Lathi, and Iron rod entered into her court yard and started assaulting her. When the sister of informant Sabana came there in order to rescue the informant, accused Md. Budhwa caused injury on her head with Iron rod with intent to kill her. Accused Qausher caused injury on the head of son of informant, namely, Mahbob with Lathi,. Accused Rahman and Md. Jasim took away silver chain and Payal from the sister of informant. All the accused persons after assaulting the informant tore her clothes and made her half naked. On alarm, the villagers came there and saved them.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is case and counter case between the parties. Injury on the side of accused persons has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender



before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VI, Araria, in connection with Palasi P.S. Case No. 271 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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