

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35091 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- JOGAPATTI District- West Champaran

1. TAMANA KHATOON Wife of Babujan Mian Resident of Village - Jagiraha Pipra, P.S.- Yogapatti, Distt - West Champaran.
2. Babujan Mian Son of Rasul Mian Resident of Village - Jagiraha Pipra, P.S.- Yogapatti, Distt - West Champaran.
3. Jajul Mian Son of Rasul Mian Resident of Village - Jagiraha Pipra, P.S.- Yogapatti, Distt - West Champaran.
4. Jarina Khatoon Wife of Jajul Mian Resident of Village - Jagiraha Pipra, P.S.- Yogapatti, Distt - West Champaran.
5. Rasul Mian Son of Late Idan Mian Resident of Village - Jagiraha Pipra, P.S.- Yogapatti, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 30-05-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have preferred this application for grant of anticipatory bail apprehending arrest in connection with Yagapatti P.S. Case No. 12 of 2019, registered for the offence under Section 307 and other sections of the Indian Penal Code.

As per the allegations made in the FIR, the genesis of occurrence is fight between the children of both the parties. It is alleged that the accused persons, variously armed, came to the



door of the informant and assaulted different persons. The injury reports have been brought on record. Petitioner no. 1 is said to have assaulted Multan Miyan, whose injury has been found to be simple in nature. So far as injury of Raveena khatoon is concerned, the allegation of assault is on one Naushad, who is not the petitioner in this application. The injury attributed to Jamila Khatoon is on Jajul Miyan, petitioner no. 3 and according to the opinion of the doctor, the injury is grievous. Further, it is stated that there is case and counter case and so far as petitioner no.1 is concerned, besides being a lady, she happens to be a teacher in the Government school.

Having heard the parties and taking into consideration the nature of the injuries appearing from the various injury reports brought on record, I am not inclined to grant bail to petitioner no. 3, namely, Jajul Mian and, therefore, his application for anticipatory bail is rejected.

So far as petitioner nos. 1 2, 4 and 5 are concerned, they are directed to surrender in the court below within a period of six weeks from today and in the event of their arrest or surrender, they shall be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned



Chief Judicial Magistrate, Bettiah, West Champaran in connection with Yagapatti P.S. Case No. 12 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

In case the petitioner no. 3 surrenders and prays for bail, the same shall be considered by the court below expeditiously, without being prejudiced in any manner by this order.

(Partha Sarthy, J)

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