

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34701 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- HUSSAINGANJ District- Siwan

1. FAIYAZ AHMED Son of Zainul Haque Resident of Village - Khodaibari, P.S.- Hussainganj, District- Siwan
2. Asrar Ahmed Son of Zainul Haque Resident of Village - Khodaibari, P.S.- Hussainganj, District- Siwan
3. Chand Tara Khatoon Wife of Zainul Haque Resident of Village - Khodaibari, P.S.- Hussainganj, District- Siwan
4. Zainul Haque Son of Late Abdul Haque Resident of Village - Khodaibari, P.S.- Hussainganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Kanhaiya Kishore (App100)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 17-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Hussainganj P.S. Case N0. 31 of 2019, disclosing offences under Sections 341,323,325,354B,504,506/34of the Indian Penal Code.

There is allegation against petitioner No.1 and petitioner No.2, who are full brothers to have misbehaved with the informant and pulled her scarf away. It is also that thereafter mother and father of the petitioners, who are petitioner Nos. 3 and 4 herein, also came and assaulted her.

Learned counsel appearing on behalf of the petitioners has submitted that it is highly improbable that all the members of the family would commit an offence punishable under Section 354B of the Indian Penal Code.



Learned counsel appearing on behalf of the informant has opposed the prayer for anticipatory bail and has submitted that considering the seriousness of the allegation, this application should not be allowed.

It appears that the injuries have been found to be mostly simple from the case diary.

Considering the above submission and the nature of accusation, 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 the learned Chief Judicial Magistrate, Siwan in Hussainganj P.S. Case No. 31 of 2019, 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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