

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34925 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- KOCHADHAMAN District- Kishanganj

1. AQUIL ALAM Son of Md. Sabir @ Dimfa Resident of Village - Sakurna, P.S.- Kochadhaman, Distt - Kishanganj
2. Shakil Alam @ Sakil Son of Md. Sabir @ Dimfa Resident of Village - Sakurna, P.S.- Kochadhaman, Distt - Kishanganj
3. Jumera Khatoon Wife of Md. Sabir @ Dimfa Resident of Village - Sakurna, P.S.- Kochadhaman, Distt - Kishanganj
4. Saberun Begam D/o Md Sabir @ Dimfa Resident of Village - Sakurna, P.S.- Kochadhaman, Distt - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-08-2019 This application, for grant of anticipatory bail, arises out of Kochadhaman P.S. Case No. 10/2019, disclosing offences under Sections 341, 323, 353, 504, 506, 224, 225 and 34 of the Indian Penal Code.

Prosecution case is that police had gone to arrest petitioner no. 1 and 2. Meanwhile, petitioner nos. 3 and 4 and co-accused started assaulting the police and got the accused persons freed.

Submission of learned counsel for the petitioners is that no warrant has been issued against petitioner nos. 1 and 2



and entire allegation is false and concocted. Further submission is that petitioner nos. 3 and 4 are ladies and petitioner no. 3 is aged about 60 years.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances and also the fact that petitioner nos. 3 and 4 are ladies, as such, in the event of their arrest or surrender before the court below within six weeks, they are directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Kochadhaman P.S. Case No. 10/2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner nos. 1 and 2 are concerned, I am not inclined to grant the privilege of anticipatory bail rather, if they, so desire may surrender before the court below and pray for regular bail, which will be disposed of by the court below on the merit of the case, without being prejudice by this order.

(Vinod Kumar Sinha, J)

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