

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42310 of 2019

Arising Out of PS. Case No.-55 Year-2018 Thana- BAHADURGANJ District- Kishanganj

1. AFSANA BEGAM @ AFSANA Wife of Naushad Alam @ Naushad Resident of Village - Talbari Altabari, P.S.- Bahadurganj, Distt - Kishanganj.
2. Nasima Khatoon Wife of Atabul Resident of Village - Talbari Altabari, P.S.- Bahadurganj, Distt - Kishanganj.
3. Angustari Begam @ Angus tari Wife of Lalbabu Resident of Village - Talbari Altabari, P.S.- Bahadurganj, Distt - Kishanganj.
4. Afsana Khatoon Wife of Mufiz Alam @ Maufiz Resident of Village - Talbari Altabari, P.S.- Bahadurganj, Distt - Kishanganj.
5. Momina Khatoon Wife of Hafizur @ Hafiz Resident of Village - Talbari Altabari, P.S.- Bahadurganj, Distt - Kishanganj.
6. Atabul Rahman @ Atabul Son of Late Abul Hussain @ Abul Resident of Village - Talbari Altabari, P.S.- Bahadurganj, Distt - Kishanganj.
7. Mofiz Alam @ Mofiz Son of Habijuddin @ Hafiz Resident of Village - Talbari Altabari, P.S.- Bahadurganj, Distt - Kishanganj.
8. Mohid Alam @ Mohid @ Mohit Alam Son of Hafijuddin @ Hafiz Resident of Village - Talbari Altabari, P.S.- Bahadurganj, Distt - Kishanganj.
9. Lalbabu Son of Hafijuddin @ Hafiz Resident of Village - Talbari Altabari, P.S.- Bahadurganj, Distt - Kishanganj.
10. Samshad Alam @ Samshad Son of Atabul Rahman @ Atabul Resident of Village - Talbari Altabari, P.S.- Bahadurganj, Distt - Kishanganj.
11. Naushad Alam @ Naushad Alad Son of Atabul Rahman @ Atabul Resident of Village - Talbari Altabari, P.S.- Bahadurganj, Distt - Kishanganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sarangdhar Jha
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-07-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Bahadurganj P.S. Case No. 55 of 2018 for the offence
punishable under Sections 341, 323, 324, 307, 379, 504 and



506/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners submits that it is evident from the First Information Report that certain dispute over the passage is the reason behind the alleged occurrence for which the present case and counter case have been filed. He submits that all the members of the same family have been implicated in the criminal case and in course of investigation, the petitioners were given protection under Section 41(1) of the Cr.P.C. He further submits that the petitioners apprehend arrest because charge-sheet has been submitted and cognizance has been taken under Section 307 of the Indian Penal Code.

Be that as it may, in view of the facts and submissions stated above, case for anticipatory bail is made out. This application is accordingly 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 C.J.M., Kishanganj, in Bahadurganj P.S. Case No. 55 of 2018, 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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