

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46530 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- DINARA District- Rohtas

1. Molvi Mian @ Sultan Mian, son of Late Moda Mian Resident of Village - Karanja, P.S.- Dinara, Distt -Rohtas.
2. Tetra Khatoon @ Afshana Khatoon, Wife of Wazid Mia @ Wazib Mian Resident of Village - Karanja, P.S.- Dinara, Distt -Rohtas.
3. Wazid Mian @ Wazib Mian, Son of Molvi Mian @ Sultan Mian Resident of Village - Karanja, P.S.- Dinara, Distt -Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-07-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Dinara P.S. Case No.11 of 2019 for the offence punishable under Sections 341, 323, 337, 354(a), 504, 506/34 of the Indian Penal Code.

The allegation against the petitioners, as mentioned in the FIR is that wife of the informant was sitting for urination in the courtyard, at that time petitioner No.3, Wazid Mian, was peeping from his roof. It has further been alleged that protest was made by the wife of the informant, then petitioner No.3



abused and also thrown bricks and stones from the roof upon her. It has further been alleged that upon making complain, the petitioner No.1 and 2 also assaulted the informant and his wife.

Learned counsel appearing for the petitioners submits that petitioners have been dragged in the false case due to the village dispute inasmuch as the petitioner No.3 is nephew of the informant and petitioner no.1 is brother of informant and petitioner no.2 is brother-in-law of the informant. He further submits that the petitioners have not committed any offence in the manner alleged and there is no injury caused to the side of the informant.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that both the parties are related and further no injury has been caused to the side of the informant and the dispute between them was due to the cleaning of drainage, as such, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, all the petitioners, named above, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court



below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Rohtas at Sasaram, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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