

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58869 of 2018

Arising Out of PS. Case No.-185 Year-2018 Thana- BAHADURGANJ District- Kishanganj

1. Zahirul @ Tetna, Son of late Atabur Rahman
2. Alim, Son of late Hanif
3. Yashmin @ Yasmin Begum, Wife of Zahirul @ Tetna
4. Mahenaz @ Mehnaz @ Menaj Begum, Wife of Alim, All Resident of Village Babhantoli, P.S. Bahadurganj, District 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. Ajay Kumar-l

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 07-01-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 379, 354, 504, 506 and 34 of the IPC.

The prosecution case, as per the written report of Najrul Nisha, submitted to the Station House Officer, Bahadurganj Police Station, is to the effect that on 11.06.2018 at 6.30 P.M. during the Ramzan, the informant along with her family members was sitting together in *verrandah*, in the meantime, all the accused persons entered into the house and assaulted the informant and her family members. It is also alleged that petitioner no.1, Zahirul snatched a silver chain from the neck of



the informant and torn her clothes. Petitioner No.2, Alim snatched Rs.2500/- from the pocket of the husband of the informant.

It is submitted by the learned counsel for the petitioners that for the occurrence of 11.06.2018 at 06.30 P.M., the FIR was registered on 12.06.2018 at 09.40 A.M. It is further submitted that in the background of serious land dispute, accusation has been levelled against the petitioners. It is further submitted that injuries caused to the informant's side found to be simple in nature. At an earlier point of time, on 27.03.2018, petitioner no.1, Zahirul lodged a case being Bahadurganj P.S. Case No. 85 of 2017 against the informant side on 12.06.2018, one of the accused persons also lodged Bahadurganj P.S. Case No. 186 of 2018 against the husband of the informant with accusation punishable under Sections 341, 323, 379, 354, 504 and 34 of the I.P.C. A statement has been made in paragraph no.3 of the petition that the petitioners are involved in two other cases being Bahadurganj P.S. Case nos. 87 of 2018 and 190 of 2018, in which they are on bail.

It is submitted by the learned APP for the State that the petitioners are also accused in two other cases apart from the present case.



Considering the fact that the accusation has been levelled in the background of serious land dispute, injuries caused to the informant side found to be simple in nature and the case lodged by the petitioners side at an earlier point of time against the informant side, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned **C.J.M., Kishanganj**, in connection with **Bahadurganj P.S. Case No.185 of 2018**, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

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