

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47987 of 2019

Arising Out of PS. Case No.-138 Year-2015 Thana- BAUSI District- Araria

1. Salistra Praveen @ Sayeestra Praveen @ Isahinta Praveen @ Saista @ Sayista Praveen W/o Md. Irshad Alam Resident of village- Mahsaili, Ward No. 10 P.S. Bounsi District Araria.
2. Md. Irshad Alam @ Md. Irshad Rahi S/o Late Dost Mohammad Resident of Village- Mahsaili, Ward No. 10 P.S. Bounsi District Araria.
3. Kanchan Devi W/o Aashish Bhagat Resident of village- Mirzapur Naya Tola Ward No. 10 P.S. Bounsi District Araria.
4. Aashish Bhagat @ Aashish Bhagat @ Ashish Kumar Bhagat S/o Ramlal Bhagat Resident of village- Mirzapur Naya Tola Ward No. 10 P.S. Bounsi District Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 448, 323, 379, 406, 420, 467, 468, 354 and 120B of the Indian Penal Code.

The prosecution case as per the initial complaint filed by Anjani Devi which came to be registered as police case after the complaint being transferred under Section 156(3) of the Cr.P.C. to the Bounsi police station is to the effect that on



17.08.2015 at 10.00 A.M. the informant went to the house of Deputy Mukhiya, Kankir Singh and asked for the sanctioned amount of the Indira Awas Scheme which had not been paid to her in spite of payment of Rs.3,000/- to Deputy Mukhiya, upon which petitioner no. 3 Md. Irshad Alam and co-accused Ward Member, Durganand Sah stated that the money with regard to Indira Awas Scheme has been given to one Basanti Devi. On protest being made, the accused persons abused and assaulted the informant and co-accused Durganand Sah snatched a silver chain worth Rs.4200/- from the informant.

It is submitted by learned counsel for the petitioners that the accusation is not specific against the petitioners. Petitioner nos. 1 and 3 are the Members of Panchayat Samiti and petitioner no. 2 and 4 are their husbands. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the fact that there is no specific accusation against the petitioners and statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released



on anticipatory bail in the event of arrest or 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 the like amount each to the satisfaction of learned A.C.J.M. VI, Araria in connection with Bounsi P.S. Case No. 138 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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