

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46688 of 2019

Arising Out of PS. Case No.-977 Year-2017 Thana- FORBESGANJ District- Araria

1. Momtaj, Male, aged about 28 years, Gainul, Son of Gainul, Resident of Village - Haldiya, Ward No. 8, P.S.- Simraha (Forbesganj), District - Araria.
2. Ekhlake @ Eklakh, male, aged about 35 years, Son of Kabir, Resident of Village - Haldiya, Ward No. 8, P.S.- Simraha (Forbesganj), District - Araria.
3. Sadir @ Sadil @ Md. Sadil, male, aged 40 years, Son of Belal, Resident of Village - Haldiya, Ward No. 8, P.S.- Simraha (Forbesganj), District - Araria.

... .. Petitioner/s

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.
For the Opposite Party/s : Ms. Nirmala Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 30-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Forbesganj (Simraha) P.S. Case No. 977 of 2017 registered under sections 341, 323, 324, 379, 307, 504/34 of the IPC.

The allegation against the petitioners is that the petitioners along with other accused persons assaulted the informant, her husband and her *bhaisur*.

Mr. Anil Prasad Singh, learned counsel appearing for the petitioners submits that altogether six persons are named in the first information report and there is general and omnibus allegation of assault against all. Learned counsel further submits



that there is no specific allegation of assault against these petitioners. Learned counsel further submits that both the parties are close relative and there was dispute with regard to partition of courtyard between them.

Having regard to the submission made by the parties and taking into consideration the fact that both the parties are close relative and there appears to be dispute between them on the issue of partition of courtyard and the allegation against the petitioners is general and omnibus, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, the petitioners, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today 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 the learned A.C.J.M. V, Araria in connection with Forbesganj (Simraha) P.S. Case No. 977 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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