

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47808 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- MAHILA P.S. District- Siwan

1. Hasgun Nisha @ Hasbun Nisha, Wife of Idu Miayn Resident of Village - Babhnauli, P.S.- Basantpur, Distt - Siwan.
2. Naushad Mian @ Nishad Mian Son of Ali Miyan Resident of Village - Babhnauli, P.S.- Basantpur, Distt - Siwan.
3. Nawaz @ Nawab @ Nabaz Son of Ali Miyan Resident of Village - Babhnauli, P.S.- Basantpur, Distt - Siwan.
4. Nizamuddin Son of Late Jad Hussain Miyan Resident of Village - Babhnauli, P.S.- Basantpur, Distt - Siwan.
5. Sahludan Khatoon Wife of Saheb Hussain Resident of Village - Babhnauli, P.S.- Basantpur, Distt - Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Irshad Ahmad Khan

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 02-08-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Siwan Mahila P.S. Case No.16 of 2019 for the offence punishable under Sections 341, 323, 354, 379, 504 and 506 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners are co-sharers of the informant and on the date of occurrence, i.e., on 19.01.2019, when informant was alone in



her house, they came, abused and assaulted and tried to outrage the modesty of the informant.

Learned counsel, Mr. Abdul Manan Khan, appearing for the petitioners submits that from perusal of the FIR, it is evident that incident has taken place on 19.01.2019, however, the FIR was lodged after a considerable delay on 18.02.2019. He further submits that both the parties are co-sharers and there is land dispute between them and the petitioners have been falsely implicated due to the land dispute in this case on the basis of belated FIR.

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 there is land dispute between them and the FIR has been lodged after a considerable delay of one month, as such, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, all the petitioners, above named, 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 S.D.J.M., Siwan, subject to the condition as
mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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