

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50200 of 2019

Arising Out of PS. Case No.-787 Year-2018 Thana- KISHANGANJ District- Kishanganj

1. NIZAMUDDIN Son of Late Abdul Gaffur Resident of Village - Khirdo, Ward No. 20, P.S.- Kishanganj, District- Kishanganj
2. M.D. Sairuddin @ Sairuddin Son of Abdul Hakeem @ Abdul Hakeemuddin Resident of Village - Khirdo, Ward No. 20, P.S.- Kishanganj, District- Kishanganj
3. Mosuda @ Masuda Khatoon @ Masuda Wife of Md. Sairuddin Resident of Village - Khirdo, Ward No. 20, P.S.- Kishanganj, District- Kishanganj
4. Barsatan Nishan @ Varsa @ Warh @ Washii Wife of Mahtab Alam Resident of Village - Khirdo, Ward No. 20, P.S.- Kishanganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-08-2019 This application, for grant of anticipatory bail, arises out of Kishanganj P.S. Case No. 787/18, disclosing offences under Sections 341, 323, 307, 354, 504 and 34 of the Indian Penal Code.

Prosecution case is that while the informant was filling his earth, the petitioners came and petitioner nos. 1 and 2 thrashed her on the ground and the petitioners tried to disrobe her and also tried to drown her into the pond and due to which she was admitted into the hospital.

Submission of learned counsel for the petitioners is



that they have falsely been made accused in this case in the background of land dispute between the parties and petitioner no. 1 aged about 70 years and the allegation of trying to disrobe the informant appears to be ornamental and further no specific allegation has been attributed to the petitioners and there is also delay of 8 days in lodging the F.I.R.

Heard learned A.P.P. also.

Having heard both sides, considering the submission, as above, this application is allowed. Let the petitioner, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 787/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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