

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51469 of 2019

Arising Out of PS. Case No.-111 Year-2019 Thana- ARARIA District- Araria

1. MD. TAUHID @ TAUHID @ TOHID Son of Md. Talib Resident of Village - Deoria Barighat, Ward No. 1, P.S. and District- Araria
2. Nazrul @ Nuzrul Son of Md. Talib Resident of Village - Deoria Barighat, Ward No. 1, P.S. and District- Araria
3. Md. Jamuddin Son of Md. Talib Resident of Village - Deoria Barighat, Ward No. 1, P.S. and District- Araria
4. Tajrul Son of Md. Talib Resident of Village - Deoria Barighat, Ward No. 1, P.S. and District- Araria
5. Md. Khabir @ Khabir Son of Md. Talib Resident of Village - Deoria Barighat, Ward No. 1, P.S. and District- Araria
6. Ramjaan @ Ramjaani Son of Md. Talib Resident of Village - Deoria Barighat, Ward No. 1, P.S. and District- Araria
7. Shabbir Son of Md. Talib Resident of Village - Deoria Barighat, Ward No. 1, P.S. and District- Araria
8. Butla Son of Md. Talib Resident of Village - Deoria Barighat, Ward No. 1, P.S. and 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. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Araria P.S. Case No. 111 of 2019, disclosing the offence under Sections 448, 323, 354, 379, 504, 506 of the Indian Penal Code.

It is alleged that on 13.02.2019 petitioner no. 1 entered into the house of the informant with an intention to



outrage her modesty. When she attempted to save herself, he assaulted her. There is allegation that petitioner no. 1 and his brothers, who are petitioners herein, assaulted the informant and took away certain valuables.

Learned counsel appearing on behalf of the petitioner has submitted that all the petitioners are full brothers and the petitioners and informant are on litigating terms. Earlier also a case was filed giving rise to Araria P.S. Case No. 76 of 2019 by the same informant. It has been asserted that the case of the prosecution is highly improbable and that the injury has been found to be simple in nature.

Learned counsel appearing on behalf of the informant, on the other hand, has submitted that the petitioners do not deserve the privilege of anticipatory bail since the injury report corroborates the case of the prosecution.

Be that as it may, considering the nature of accusation, this application is allowed. Let the petitioners, above-named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned CJM, Araria in Araria P.S. Case No. 111 of 2019,



subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/ Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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