

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54064 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- CHAND District- Kaimur (Bhabua)

1. TAQDIRUN BIBI Wife of Samiulla Shah Resident of Village - Pateri, P.S.- Chand, District - Kaimur at Bhabua.
2. Rashid Shah Son of Samiulla Shah Resident of Village - Pateri, P.S.- Chand, District - Kaimur at Bhabua.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr. R.B. Roy 'Raman, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 30-08-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Chand P.S. Case No. 102 of 2019 for the offence punishable under Sections 341, 323, 324, 307 and 354/34 of the Indian Penal Code.

There is allegation against petitioner No.2 of having attempted to outrage the modesty of the informant's sister. Petitioner No.1 is mother of petitioner No.2. Allegedly, when the family members of the victim were complaining against conduct of petitioner No.1, the informant and others were assaulted. There is allegation against petitioner No.1 of having assaulted the informant with knife.

Learned counsel appearing on behalf of the



petitioners has submitted that petitioner No.1 has been implicated only because she is mother of petitioner No.2.

Considering the facts and circumstances, this application is allowed to the extent it relates to petitioner No.1.

Let the petitioner No.1 above named, in the event of her arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IVth, Kaimur at Bhabhua, in Chand P.S. Case No. 102 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

Considering the nature of accusation against petitioner No.2, this application, to the extent it relates to him, stands rejected.

The petitioner No.2 is directed to surrender before the Court below within a period of four weeks from today and seek



regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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