

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4543 of 2019

Arising Out of PS. Case No.-311 Year-2018 Thana- PUPRI District- Sitamarhi

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1. Md. Juhi son of Md. Moti.
 2. Md. Guddu son of Md. Nathuni
 3. Md. Atabul son of Md. Nathui
 4. Md. Akhtar @ Akhtar son of Md. Akbar.
 5. Md. Anjar son of Md. Akbar.
 6. Md. Mumtaj son of Md. Atabul.
 7. Fakni Khatoon @ Fekani Khatoon wife of Md. Ataul.
 8. Md. Rijwan son of Md. Mannan.
 9. Md. Harun son of Md. Chhotu.
 10. Md. Moti son of Md. Manudi.
 11. Rahana Khatoon daughter of Md. Moti.
 12. Md. Sakil son of Md. Jakir.

All resident of vllage - Khurdgadha, Ward No. 1, PS- Pupri, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Pupri P.S. Case No.311 of 2018 dated 19.06.2018 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 354, 307, 379 and 447 of the Indian Penal Code.

Learned counsel for the petitioners submits that there are cases and counter cases between the petitioners and the



informant side. Learned counsel submits that although there are allegations of assault against petitioner nos. 2, 6 and 7, so far as the other petitioners are concerned, the allegations against them are general and omnibus in nature. Learned counsel submits that the injuries said to have been caused by petitioner nos. 2, 6 and 7 are simple in nature. It is also submitted that the informant is the aggressor. It is further submitted that these petitioners have got no criminal antecedents.

On the other hand, learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case and the statements made therein that so far as the petitioners except petitioner nos. 2, 6 and 7 are concerned there are general and omnibus allegations against them and they have no criminal antecedent, let in case of their arrest or surrender within a period of four weeks from today, the abovenamed petitioner nos. 1, 3, 4, 5, 8, 9, 10, 11 and 12 are directed to be enlarged on bail on furnishing bail bond of Rs.15,000/-(rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi in connection with Pupri P.S. Case No.311 of 2018



dated 19.06.2018, subject to the condition that they shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation, failing which the Investigating Officer shall be at liberty to take steps for cancellation of his bail bond. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

So far as petitioner nos.2, 6 and 7 are concerned, in case they surrender in the learned Court below within a period of four weeks from today and prays for regular bail, their prayer for regular bail shall be considered by the learned Court below on its own merit and on the basis of the materials available on record without being prejudiced by the order of this Court.

It is stated that petitioner no. 7 is a lady, that being so, this Court would direct the learned Court below to consider her prayer for regular bail keeping in mind the nature of injury also and shall dispose it of on the same day.

This application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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