

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1695 of 2019

Arising Out of PS. Case No.-372 Year-2018 Thana- PUPRI District- Sitamarhi

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- 1) Md. Sadre Alam Khan, Son of Md. Allauddin Khan
2) Md. Aslam Khan @ Alam Khan, Son of Md. Allaudin Khan
3) Noorjahan Khatoon @ Noorjahan, Wife of Md. Allaudin Khan.
4) Md. Gaffar Khan @ Gaffar Khan, Son of Late Usman Khan.
5) Ahmadee Khatoon, Wife of Md. Gaffar Khan.
6) Shahjahan Khatoon, Wife of Md. Tamanne Khan.
7) Shabia Khatoon, Wife of Md. Alam Khan.
All are residents of village – Goat Bedaul, Ward No. 13, P.S. - Pupri,
District – 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.Sri Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-01-2019 This application, for grant of anticipatory bail, arises out of

Pupri P.S. Case No. 372 of 2018, disclosing offences under Sections

147, 148, 341, 323, 406, 307, 54, 506 and 324 of the Indian Penal

Code.

Allegation as per F.I.R is that petitions nos. 1 and 2 have
taken Rs. 20,000/- from the informant and when he demanded his
money, the petitioners alleged to have assaulted the informant by fists
and slaps and specific allegation against petitioner no. 4 that he
assaulted the informant by means of knife.

Submission of learned counsel for the petitioners is that
they have falsely been implicated in this case and no specific
allegation has been attributed to the petitioners and the impugned



order shows that there is no injury report available on record. Further, there is case and counter case between the parties.

Heard learned A.P.P. also.

Having heard both sides, considering the the facts and circumstances of the case, so far petitioner no. 4 is concerned, I am not inclined to grant privilege of anticipatory bail to petitioner no. 4 rather he should surrender before the court below and pray for regular bail, which will be considered by the court below on the merit of the case.

So far other petitioners are concerned, in the event of their arrest or surrender before the court below within a period of six weeks, they are directed to 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 Sub Divisional Judicial Magistrate – Pupri, Sitamarhi, in connection with Pupri P.S. Case No. 372 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above observation and direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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