

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70620 of 2019

Arising Out of PS. Case No.-330 Year-2019 Thana- ARARIA District- Araria

1. Most. Sajo Wife of Late Mohiuddin Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.
2. Nasimuddin Son of Late Abdul Majid @ Md. Majid Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.
3. Md. Siddique Son of Late Abdul Majid Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.
4. Zasimuddin Son of Late Abdul Majid @ Mijududdin Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.
5. Md. Imroj Son of Md. Quasim @ Quashim Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.
6. Bibi Nilofar Wife of Md. Imroz @ Imroj Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.
7. Tetari Khatun @ Teri Khatoon Wife of Md. Quasim Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.
8. Bibi Kulsum @ Kulsum Wife of Nasimuddin Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.
9. Istiyak @ Md. Istiyak Son of Nasimuddin Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.
10. Nahid Khatun @ Nahid Parveen Wife of Md. Siddique Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.
11. Mazluma @ Mazlum Khatun Wife of Jasimuddin Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.
12. Shabina Khatun Wife of Saidul Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.
13. Irfat @ Irfat Khatoon Daughter of Late Mohiuddin Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.
14. Aasiyana Daughter of Late Mohiuddin Resident of Village-Bangama Farkia Tola, P.S-Araria, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarangdhar Jha
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA



ORAL ORDER

3 21-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Araria P.S. Case No. 330 of 2019, registered under Sections 147, 149, 323, 341, 324, 354(B), 307, 504 and 506 of the Indian Penal Code.

The accusation is that petitioners along with Kasim came at the door of the informant, Bibi Kaishar, variously armed with weapons. At that time, Kasim started to abuse her and on the order of Kasim, all started to cause assault to her through lathi, stick, fist and slaps. In the meantime, Kasim gave Dabia blow at her head and Most. Sajo (petitioner no.1) tried to press her neck whereas Nasimuddin (petitioner no.2) and Md. Siddique (petitioner no.3) tor her cloths. At that time, Kasim and Istiyak (petitioner no.9) tried to put fire in her house, in which, wood was burn to ash. Thereafter, Md. Imroj (petitioner no.5) snatched her gold chain and gold ear ring and Bibi Nilofar (petitioner no.6), Tetari Khatoon (petitioner no.7) and Bibi Kulsum (petitioner no.8) entered in her house and took cash Rs.26,300/-. When her daughter, Seema Parveen, raised alarm then Zasimuddin (petitioner no.4) laid her on the ground catching her neck.



Learned counsel for the petitioners submits that it would appear from the F.I.R. that while petitioners are named in the F.I.R. but no specific overt act has been attributed against them, in fact, only allegation has been made against Kasim to cause injury at the head of informant through Dabia. Moreover, injuries, as found on the person of the informant, is simple in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, in connection with Araria P.S. Case No. 330 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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