

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7188 of 2020

Arising Out of PS. Case No.-490 Year-2018 Thana- SAHARSA District- Saharsa

1. MD. MUMTAZ Son of Md. Natho @ Md. Ibrahim Resident of - Mirtola Saharsa, P.S. and District - Saharsa.
2. Md. Imteyaz @ Md. Imtiyaz Son of Md. Natho @ Md. Ibrahim Resident of - Mirtola Saharsa, P.S. and District - Saharsa.
3. Md. Shahjad @ Md. Shahjad Alam Son of Md. Natho @ Md. Ibrahim Resident of - Mirtola Saharsa, P.S. and District - Saharsa.
4. Md. Gulzar Son of Md. Natho @ Md. Ibrahim Resident of - Mirtola Saharsa, P.S. and District - Saharsa.
5. Md. Munna Son of Md. Kuro Resident of - Mirtola Saharsa, P.S. and District - Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Saharsa Sadar P.S. Case No. 490 of 2018 for the offence under Sections 341, 323, 379, 308, 504 and 506/34 of the Indian Penal Code.

Allegation against petitioner no.1, namely, Md. Mumtaz, tried to outrage the modesty of the informant and he also assaulted the aunt of the informant on her head.

Learned counsel for the petitioners submits that the petitioners have got no criminal antecedent. He further submits



that the parties are next door neighbour and they have amicably settled the dispute.

Considering the fact that there is no overt act alleged against petitioner nos. 2 to 5, the petitioner nos. 2 to 5 named above, in the event of arrest or surrender before the court below within one month from today, are directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 490 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as grant of anticipatory bail of petitioner no. 1, namely, Md. Mumtaz, is concerned, his prayer for grant of anticipatory bail is rejected. However, he may surrender before the court below within a period of one month from today and prays for regular bail, which would be considered and disposed of by the court below on the same day without being prejudiced by the order of this Court.

(Anil Kumar Upadhyay, J)

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