

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8806 of 2020

Arising Out of PS. Case No.-287 Year-2019 Thana- BAIRIYA District- West Champaran

1. AAJMA KHATOON Wife of Rajul Mian @ Riyajul Mian Resident of Village - Bagahi (Bakuliya Tola), P.S.- Bairiya, District- West Champaran
2. Rajul Mian @ Riyajul Mian Son of Late Bhola Mian Resident of Village - Bagahi (Bakuliya Tola), P.S.- Bairiya, District- West Champaran
3. Harun Son of Rajul Mian @ Riyajul Mian Resident of Village - Bagahi (Bakuliya Tola), P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bairiya P.S. Case No. 287 of 2019 for the offence registered under Sections 447, 147, 148, 149, 341, 323, 324, 326, 307, 504 and 506 of the Indian Penal Code.

The allegation is regarding the accused persons having assaulted the informant and other members of the prosecution party. As far as the petitioners are concerned, they are stated to have assaulted the nephew of the informant, namely, Sonu resulting in one grievous injury on his person.



The learned counsel for the petitioners has submitted that the petitioners are innocent, are having clean antecedent and have been falsely implicated in the present case. It is further submitted that a general and omnibus allegation has been levelled against all the three petitioners, hence in absence of any specific accusation, the petitioners are liable to be granted benefit of doubt, for the purposes of consideration of the present anticipatory bail petition. It is also submitted that two of the co-accused persons have already been granted anticipatory bail by this Court by an order dated 21.01.2020 passed in Criminal Misc. No. 3856 of 2020. Lastly, it is submitted that the petitioners are having deep root in the society and undertake to join the ensuing investigation and trial, if any.

Having regard to the facts and circumstances of the case and considering the submissions of the learned counsel for the petitioners, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four 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 learned Chief Judicial Magistrate, Bettiah, West
Champaran in connection with Bairiya P.S. Case No. 287 of
2019 subject to the conditions as stipulated under Section
438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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