

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11481 of 2020

Arising Out of PS. Case No.-261 Year-2019 Thana- JOKIHAT District- Araria

1. Hasim Son of Somai Resident of Village - Bara Istambarar, Ward No. 4, P.S.- Jokihat, District- Araria
2. Wahid @ Abdul Wahid Son of Hasim Resident of Village - Bara Istambarar, Ward No. 4, P.S.- Jokihat, District- Araria
3. Alam @ Alam Azad Son of Late Sekhawat Resident of Village - Bara Istambarar, Ward No. 4, P.S.- Jokihat, District- Araria
4. Arif @ Arif Alam Son of Ibrahim Resident of Village - Bara Istambarar, Ward No. 4, P.S.- Jokihat, District- Araria
5. Rahmina @ Bibi Rahmina Khatoon Wife of Hasim Resident of Village - Bara Istambarar, Ward No. 4, P.S.- Jokihat, District- Araria
6. Tamanna Wife of Wahid Resident of Village - Bara Istambarar, Ward No. 4, P.S.- Jokihat, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma
For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 26-06-2020 Heard learned counsel for the parties through video conferencing.

The petitioners apprehend their arrest in Jokihat P.S. Case No. 261 of 2019 registered for the offence under Sections 341/323/354-B/379/447/448/427/504/506/34 of the Indian Penal Code.

In the F.I.R., it is alleged that on 21-06-2019, all the accused persons entered into the courtyard of the informant and



started abusing him and when the informant protested, they started assaulting him and his family members by fists, slaps, *lathi* and *danda*. It is further alleged that petitioners also torn the cloth of informant's daughter and made her naked and thereafter, they also took away cash and ornaments from the informant's house.

It is submitted on behalf of petitioners that petitioners are innocent and have falsely been implicated in this case due to village politics. It is further submitted that there is case and counter case between the parties and the case filed by petitioner no. 2 (Abdul Wahid) i.e. Jokihat P.S. Case No. 260/2019 is prior to the present case. Most of the allegations, made in the present F.I.R., are general and omnibus in nature. The allegation of outraging the modesty of informant's daughter is false in order to make the offences non-bailable. The petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail application is allowed.

In the event of arrest or surrender within a period of six weeks from today, let the above-named six petitioners be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat P.S. Case No. 261 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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