

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17877 of 2020

Arising Out of PS. Case No.-285 Year-2019 Thana- BAJPATTI District- Sitamarhi

1. MD. FARIYAD S/O- Md. Chhote @ Md. Kasim R/o- Village- Hasanpur Barharva, P.S.- Bajpatti, District - Sitamarhi.
2. Md. Danish @ Md. Danis S/O- Md. Chhote @ Md. Kasim R/o- Village- Hasanpur Barharva, P.S.- Bajpatti, District - Sitamarhi.
3. Munni Nisha @ Minni Nisha W/o- Md. Naushad R/o- Village- Hasanpur Barharva, P.S.- Bajpatti, District - Sitamarhi.
4. Ginni Khatoon W/O- Md. Fariyad R/o- Village- Hasanpur Barharva, P.S.- Bajpatti, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Dr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-12-2020 Heard learned counsel for the petitioners and learned
APP for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Bajpatti P.S. Case No. 285 of 2019 registered under sections 307, 354 B, 341, 323, 324, 448, 379, 504, 506 and 34 of the Indian Penal Code.

As per allegation in the FIR, in the absence of the informant's husband, it is stated that her husband's elder brother Md. Naushad, who had ill intentions towards her, started to



misbehave. On resisting, it is stated that the five named accused persons including the petitioners herein came and started to beat up the informant. Md. Naushad is stated to have given a blow with an iron rod on the informant's head while petitioner no. 1 struck with a knife on her leg. On her husband, returning the accused persons beat him up also and took away Rs. 2500/.

It is submitted by learned counsel for the petitioners that the allegations as levelled in the FIR are false and concocted because of family dispute between the parties. It is submitted that from the injury report it would transpire that the injuries on the informant have been opined to be simple in nature and injuries attributed to the petitioner no. 1, have been found on her leg. Petitioners have no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the relationship between the parties and the injury report of the informant, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Bajpatti P.S.



Case no. 285 of 2019, they will be enlarged on bail on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Pupri, Sitamarhi subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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