

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.15325 of 2020**

Arising Out of PS. Case No.-468 Year-2019 Thana- FORBESGANJ District- Araria

1. MD. NASIM Son of Md Jafir
2. Md. Sahid Son of Md Vajir
3. Md. Saiyad Son of Vajir
4. Md Jumrati Son of Vajjur @ Vijjur Mian
5. Md Farooque @ Bhutto Son of Vajir  
All Resident of Village - Dhol-bajja, Ward No. 11, P.S. Forbesganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Nadimul Hasan, Adv.  
For the Opposite Party/s : Mr.Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA  
ORAL ORDER**

2      10-09-2020                      Heard both sides through Video Conferencing.

The petitioners apprehend their arrest in Forbesganj P.S. Case No.468 of 2019 registered under Sections 147, 149, 341, 323, 354-B, 379, 448, 506 and 34 of the Indian Penal Code.

The informant alleged that while she was all alone in her house, her neighbour Md. Nasim entered into the house and started teasing her. When the informant forbid him, Md. Nasim torn her cloths. The informant raised alarm and on such, her father-in-law and mother-in-law came to save but the other accused persons assaulted them and took away different articles.

The learned counsel for the petitioners submits that



there is a case and counter case. The father of Md. Nasim lodged Forbesganj P.S. Case No.469 of 2019. Md. Jafir alleged that there is some quarrel with each other and on account of such, the accused persons assaulted him. It is further submitted that in the F.I.R. on its face value, there is allegation against Md. Nasim and no specific allegation is made against petitioner Nos.2 to 5.

Learned A.P.P. opposed the prayer for anticipatory bail.

From perusal of the F.I.R., it appears that there is specific allegation against Md. Nasim. He, finding the informant all alone in her house, entered into the house made an attempt to outrage her modesty and torn her cloths.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner No.1(Md. Nasim) on anticipatory bail. Accordingly, the same is rejected.

So far as the case of petitioner No.2(Md. Sahid), petitioner No.3(Md. Saiyad), petitioner No.4(Md. Jumrati) and petitioner No.5(Md. Farooque @ Bhutto) is concerned, no specific allegation is made against the petitioners that they have assaulted the in-laws of the informant and took away different articles from her house. There is a counter version in which it is



also alleged that the accused persons assaulted the informant and took away different articles.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioners and the fact that there is a counter version, let the petitioner No.2(Md. Sahid), petitioner No.3(Md. Saiyad), petitioner No.4(Md. Jumrati) and petitioner No.5(Md. Farooque @ Bhutto) in the event of their arrest or surrender within a period of four weeks be released on bail 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 C.J.M., Araria, District-Araria in connection with Forbesganj P.S. Case No.468 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

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