

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No. 21516 of 2020

1. Md. Naseem @ Naseem Mian, son of Late Razak Mian
2. Md. Hasim, son of Late Razak Mian
3. Md. Faruque, son of Late Razak Mian
4. Md. Ashique, son of Late Razak Mian
5. Md. Bechan @ Md. Ksim @ Bechan, son of Late Razak Mian
6. Md. Sajjad, son of Md. Habib
7. Md. Saddam @ Saddam Hussain, son of Md. Naseem @ Naseem Mian
8. Md. Nehal @ Md. Nihal, son of Md. Naseem @ Naseem Mian
... .. Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioners : Mr. Md. Fazle Karim, Advocate
For the Respondent State: Mr. Satyadeo Pd. Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-08-2020 Heard Mr. Md. Fazle Karim, learned counsel appearing on behalf of the petitioners and Mr. Satyadeo Pd. Singh Yadav, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of anticipatory bail arises out of K.Nagar (Sri Nagar) P.S. Case No. 123 of 2020, registered for the offence punishable under Sections 147, 149, 341, 323, 324, 325, 354(B) and 307 of the Indian Penal Code.

It appears from the First Information Report that some quarrel among children of two families gave rise to the occurrence. It is alleged in the First Information Report that the petitioners, armed variously, had started assaulting the informant's husband. It is alleged against petitioner No.1 that he



gave a *lathi* blow in the informant's head and by pulling her *saree*, he disrobed her. It is also alleged that when other family members of the informant came in rescue, they were also assaulted.

Learned counsel appearing on behalf of the petitioners has submitted that for the alleged occurrence, said to have taken place on 27.04.2020, the First Information Report came to be registered on 29.04.2020. He has also argued that the allegations against the petitioners are generally vague and not specific.

On perusal of the First Information Report, it is evident that quarrel among children of two families was the reason behind occurrence, if any. The petitioners have no criminal antecedent.

Considering the facts and circumstances, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, 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., Purnea, in K.Nagar (Sri Nagar) P.S. Case No. 123 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

It is indicated that defect, if any, shall be removed within two months.

Since there is a lock down, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.



Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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