

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27857 of 2020

Arising Out of PS. Case No.-73 Year-2020 Thana- BAIKUNTHPUR District- Gopalganj

1. NAIM MIAN S/o Late Rahman Mian Resident of Village-Usari Bazar, P.S.- Baikunthpur, District-Gopalganj.
2. Jumrati Mian S/o Rahim Mian Resident of Village-Usari Bazar, P.S.- Baikunthpur, District-Gopalganj.
3. Amruddin Mian S/o Late Rahman Mian Resident of Village-Usari Bazar, P.S.-Baikunthpur, District-Gopalganj.
4. Jane Alam S/o Jumrati Mian Resident of Village-Usari Bazar, P.S.- Baikunthpur, District-Gopalganj.
5. Azad Mian S/o Jumrati Mian Resident of Village-Usari Bazar, P.S.- Baikunthpur, District-Gopalganj.
6. Hasibul Khatoon W/o Naim Mian Resident of Village-Usari Bazar, P.S.- Baikunthpur, District-Gopalganj.
7. Rehana Khatoon W/o Ali Imam Resident of Village-Usari Bazar, P.S.- Baikunthpur, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Anil Kumar.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.



Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 325, 307, 504/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners assaulted the informant by means of talwar and lathi on her head, due to which she received injury and they also assaulted her family members.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is a case and counter case between the parties. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands. General and omnibus allegation has been made. No specific overt act is alleged against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender



before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Uday Pratap, Judicial Magistrate, 1st class, Gopalganj in connection with Baikunthpur P.S. case No.73 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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