

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82969 of 2019

Arising Out of PS. Case No.-814 Year-2019 Thana- ARARIA District- Araria

1. INTEKHAB @ INTEKHAN Son of Chunnu Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.
2. Chunnu Son of Late Aulad Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.
3. Najara @ Najra W/o Chunnu Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.
4. Sayek Son of Chunnu Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.
5. Dilshad Son of Chunnu Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.
6. Soni W/o Dilshad Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.
7. Firoj @ Firoz Son of Late Aulad Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.
8. Murshida W/o Firoz @ Firoj Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.
9. Shamsher Son of Firoj @ Firoz Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.
10. Badujjama @ Badi Ujjama @ Munni Son of Late Aulad Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.
11. SAJAN @ SAJJAN W/o Badi Ujjama @ Badujjama @ Munni Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.
12. Mokim Son of Badi Ujjama @ Badujjama @ Munni Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.
13. Ajaj @ Ejaj Son of Late Aulad Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.
14. Matin Son of Late Aulad Resident of Village - Kakorwa (Kakurwa), Basantpur, Ward No.29, P.S.- and Distt.- Araria.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Madhav Jha
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 09-07-2020

Heard learned counsel for the parties.



This application for anticipatory bail arises out of Araria P.S. Case No. 814 of 2019 for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 379, 354B, 447, 506 and 504 of the Indian Penal Code.

There are 14 persons named in the First Information Report, who have approached this Court in the present bail application. It is alleged against petitioner No.1 that he had entered into the informant's house in night and while he was making an attempt to commit theft, the informant woke up and raised a cry. Allegedly, when petitioner No.1 was trying to flee away, he was apprehended from outside the informant's house. It is alleged that thereafter all these persons, belonging to the family of petitioner No.1, and others assembled and they started assaulting the informant and his family members variously.

Case diary has been called for, no injury has been found to be grievous.

Learned counsel appearing on behalf of the petitioners has submitted that much before filing of the First Information Report, a complaint case was filed against the informant by one of the relatives of these petitioners, which is why a false case has been lodged. He has further submitted that



the date of occurrence in the First Information Report has been described as 14.09.2019, for which the written report for registration of the First Information Report was filed on 19.09.2019 without any explanation for delay in lodging of the First Information Report.

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., Araria, in Araria P.S. Case No. 814 of 2019, 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.

(Chakradhari Sharan Singh, J)

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