

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.1120 of 2020

Arising Out of PS. Case No.-785 Year-2019 Thana- ARARIA District- Araria

1. MIR SAJID Son of Mir Fakar @ Fakruddin Resident of Village- Mahishakol, Police Station- Araria and District Araria.
2. Sk. Tinku @ Rinku Son of Sk. Maksood Resident of Village- Mahishakol, Police Station- Araria and District Araria.
3. Kanhaiya Kumar @ Kanhaiya Sah Son of Shree Tirthanand Sah Resident of Village - Rampur, Police Station and District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Nand Poddar

For the Opposite Party/s : Mr.Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-02-2020 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,149,341,323,379,354, 435, 504 and 506 of the IPC.

The prosecution case as per the written report of Rinki devi submitted to the SHO, Araria Police Station is to the effect that on 6.9.2019 at 3.00 P.M., all the accused persons started abusing the informant and on protest being made, the accused persons including the petitioners assaulted the informant, put her house on fire and when the sister-in-law of the informant came to



rescue, she was also assaulted by them. It is further alleged that all the accused persons also took away Rupees Five Thousand rupees and jewellery from the house of the informant.

It is submitted by learned counsel for the petitioners that for the alleged occurrence of 6.9.2019, the FIR was registered on 11.9.2019 and there is counter version of the occurrence being Complaint Case No. 2387C of 2019. It is further submitted that the injury has been found to be superficial in nature. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the accusation being omnibus and general against all the accused persons, delayed lodging of the FIR, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks 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 CJM, Araria in connection with Araria P.S. Case No. 785 of 2019 subject to the conditions laid down in Section



438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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