

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85554 of 2019

Arising Out of PS. Case No.-153 Year-2019 Thana- NIRMALI District- Supaul

1. ASMA KHATOON W/o Md. Sajid Resident of Village- Nirmali, P.S.- Nirmali, Distt- Supoul
2. Nilam Devi W/o Fakira Paswan Resident of Village- Nirmali, P.S.- Nirmali, Distt- Supoul
3. Jibachhi Devi W/o Ram Lakshman Paswan @ Ram Lakhan Paswan Resident of Village- Nirmali, P.S.- Nirmali, Distt- Supoul
4. Md. Sajid S/o Late Jayasuddin Resident of Village- Nirmali, P.S.- Nirmali, Distt- Supoul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Adv.
For the Opposite Party/s : Mr.Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-02-2020

The learned counsel for the petitioners seeks permission to withdraw this application so far as petitioner no. 2 (Nilam Devi) and petitioner no. 3 (Jibachhi Devi) are concerned.

Prayer is allowed.

Accordingly, it stands dismissed as withdrawn, so far as petitioners no. 2 and 3 are concerned, in connection with Nirmali P.S. Case No. 153 of 2019, pending in the Court of Sri L.B. Prasad, Judicial Magistrate, 1st Class, Birpur, Supaul.

Heard learned counsel for the petitioners no. 1 and 4 and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Nirmali P.S. Case No. 153 of 2019, registered under Sections 420,



407, 468, 471, 353 and 34 of the Indian Penal Code.

The accusation is that Asma Khatoon (petitioner no. 1), Nilam Devi (petitioner no. 2) and Jibachhi Devi (petitioner no. 3) producing the certificate issued by Bhudan Yag Committee started to give pressure for fixation of the rent. On doubt, all the three certificates were verified, which were found fake and it has come that the said persons have obtained the forged certificate from broker. Thereafter, Md. Sajid, petitioner no. 4, husband of petitioner no. 1, sat on strike in the office of the Subdivisional Officer for giving pressure upon the administration to fix the rent.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the petitioner no. 4 (Md. Sajid). His prayer for pre-arrest bail is **rejected**. The petitioner no. 4 is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

So far as petitioner no. 1, Asma Khatoon, is concerned, in the event of surrender/arrest, within a period of four weeks from today, in connection with Nirmali P.S. Case No. 153 of 2019 she shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri L.B. Prasad, Judicial Magistrate, 1st Class, Birpur,



Supaul, or the successor Court subject to the conditions as laid down
under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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