

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21945 of 2021

Arising Out of PS. Case No.-225 Year-2020 Thana- BAUSI District- Purnia

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1. ASRE KHATOON W/O ASLAM R/O VILLAGE-CHOPRA PURAB TOLA, WARD NO. 3, P.S- BAISI, DISTRICT PURNEA.
 2. LUSI @ LUSKI @ RUKSANA BEGUM W/O QUAMRUL R/O VILLAGE-CHOPRA PURAB TOLA, WARD NO. 3, P.S.- BAISI, DISTRICT PURNEA.
 3. QUAMRUL S/O LATE ABDUL KHALIFA R/O VILLAGE-CHOPRA PURAB TOLA, WARD NO. 3, P.S.- BAISI, DISTRICT PURNEA.
 4. NOOR FATMA D/O ASLAM R/O VILLAGE-CHOPRA PURAB TOLA, WARD NO. 3, P.S.- BAISI, DISTRICT PURNEA.

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Ram Prawesh Kumar, Advocate.
For the State	:	Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-09-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 20.03.2021, within four weeks of starting of the Court proceeding in physical mode in normal course.

At the very outset, learned counsel for the petitioners, through Video Conferencing, submits that the petitioner no.3, namely, Quamrul, has already been arrested by the police in this case and, as such, this application, in respect of the petitioner no.3, namely, Quamrul, for granting him the privilege

of pre-arrest bail has become infructuous and seeks permission to withdraw this application in respect of the petitioner no.3, namely, Quamrul.

Permission is accorded.

This application in respect of the petitioner no.3, namely, Quamrul, is dismissed as withdrawn.

Now, only the prayer of the petitioner no.1, namely, Asre Khatoon, petitioner no.2, namely, Lusi alias Luski alias Ruksana Begum, and the petitioner no.4, namely, Noor Fatma, for granting them the privilege of pre-arrest bail is being considered, through Video Conferencing.

Heard learned counsel for the petitioner no.1, namely, Asre Khatoon, petitioner no.2, namely, Lusi alias Luski alias Ruksana Begum, and the petitioner no.4, namely, Noor Fatma, and the learned A.P.P. for the State, through Video Conferencing.

The petitioner no.1, namely, Asre Khatoon, petitioner no.2, namely, Lusi alias Luski alias Ruksana Begum, and the petitioner no.4, namely, Noor Fatma, apprehend their arrest in connection with Baisi P.S. Case No.225 of 2020 registered under Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the Indian Penal Code.

The accusation is that on 17.09.2020 at about 10.00 A.M., the dispute in between the informant Chandni Begum and her neighbour Mirseed arose due to putting 'Chhajja'. In that course, 27 persons, named in the F.I.R., including the petitioner no.1, namely, Asre Khatoon, petitioner no.2, namely, Lusi alias Luski alias Ruksana Begum, and the petitioner no.4, namely, Noor Fatma, along with 5-6 unknown started to commit "Maar-Peet". At that time, Mirseed caused injury at the head Ubedur Rahman, the brother of the informant, through Khanti and dragged him at the courtyard. When Saddam, the elder brother of the informant, rushed to save, then Mirseed caused injury at his head by pelting bricks, due to which he became unconscious. Mirseed again attacked at Saddam, the elder brother of the informant, through Khanti, With the help of villagers, Saddam, the elder brother of the informant, was rushed to Primary Health Centre, Baisi, for treatment from where he was referred to Purnia, but in course of taking away to him at Purnia, he died in the way.

Learned counsel for the petitioner no.1, namely, Asre Khatoon, petitioner no.2, namely, Lusi alias Luski alias Ruksana Begum, and the petitioner no.4, namely, Noor Fatma, submits that the petitioner no.1, namely, Asre Khatoon, petitioner no.2,

namely, Lusi alias Luski alias Ruksana Begum, and the petitioner no.4, namely, Noor Fatma, are ladies and they have falsely been implicated in this case. petitioner no.1, namely, Asre Khatoon, petitioner no.2, namely, Lusi alias Luski alias Ruksana Begum, and the petitioner no.4, namely, Noor Fatma, have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioner no.1, namely, Asre Khatoon, petitioner no.2, namely, Lusi alias Luski alias Ruksana Begum, and the petitioner no.4, namely, Noor Fatma, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea, in connection with Baisi P.S. Case No.225 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

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