

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2006 of 2020

Arising Out of PS. Case No.-17 Year-2019 Thana- SC/ST District- Samastipur

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1. Huma Parwin @ Rabiya Parbin aged about 22 years D/o Md. Jamrudin @ Md. Zamirudin @ Md. Jamiruddin, W/o Md. Mukhtar Resident of Village-Bikrampur Bande, P.S-Muffasil, District-Samastipur.
 2. Sahin Parwin aged about 47 years W/o Md. Jamrudin @ Md. Zamiruddin @ Md. Jamiruddin Resident of Village-Bikrampur Bande, P.S-Muffasil, District-Samastipur.
 3. Mobin Udin aged about 81 years S/o Md. Kutubuddin @ Md. Kutubudin Resident of Village-Bikrampur Bande, P.S-Muffasil, District-Samastipur.

... .. Appellants

Versus

1. The State of Bihar
2. Leela Devi W/o Late Julius Ram R/o Bikrampur Bande, P.S.-Mufassil, District-Samastipur.

... .. Respondents

Appearance :

For the Appellants : Mr.Deepak Kumar, Advocate
For the Respondent : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-01-2021 At the outset, learned counsel for the appellants submits that this appeal seeking anticipatory bail has become infructuos with respect to appellant no.3 as during pendency of the same, appellant no.3 has been arrested.

In view of the submission of learned counsel for the appellant, the appeal is dismissed as being infructuous with respect to appellant no.3.

Heard learned counsel for the parties.

The present appeal is directed against the order dated 5.3.2020 passed by learned Special Judge, Samastipur in a case



registered for the offence punishable under Section 420 of the Indian Penal Code and Section 3 (i) (r) (s) of the SC/ST Act, whereby anticipatory bail of the appellants has been rejected.

Learned counsel for the appellants no.1 and 2 submits that it is a case of cheque bounce. From perusal of the FIR it appears that the cheques were issued by Md. Jamiruddin who has already been granted provisional bail vide order dated 21.10.2020, passed in Cr.Appeal(SJ) No.1549/2020. Appellant no.1 is daughter and appellant no.2 is wife of Md.Zamiruddin. Cheques were not issued by these appellants who are ladies and have no criminal antecedent.

Learned counsel for the state on the other hand opposes the prayer for bail.

Having regard to the submissions and the fact that co-accused Md. Zamiruddin has already been granted provisional bail, appeal in respect of these two appellants who are ladies, is allowed and the impugned order dated 5.3.2020 is set aside.

Accordingly, in the event of arrest or surrender by the appellants, above named, before the court below within eight weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned Additional District and Sessions Judge—I cum
Samastipur in SC/ST Police Station Case No. 17/2019, GR
No.639 of 2019.

(Prabhat Kumar Singh, J)

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