

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34216 of 2020

Arising Out of PS. Case No.-107 Year-2020 Thana- BHAIKAVSHATHAN District-
Madhubani

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1. BHIKHARI PASWAN S/O Late Nathuni Paswan Resident of Village - Haithhibali, Police Station - Bhairab Asthan, District - Madhubani.
 2. Devendra Kumar Paswan @ Devendra Paswan S/O Bhikhari Paswan Resident of Village - Haithhibali, Police Station - Bhairab Asthan, District - Madhubani.
 3. Phulo Devi Daughter of Bhikhari Paswan Resident of Village - Haithhibali, Police Station - Bhairab Asthan, District - Madhubani.
 4. Deo Kumari Daughter of Bhikhari Paswan Resident of Village - Haithhibali, Police Station - Bhairab Asthan, District - Madhubani.
 5. Sabitiri Devi Wife of Bhikhari Paswan Resident of Village - Haithhibali, Police Station - Bhairab Asthan, District - Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Prasad
For the Opposite Party/s	:	Mr. Md. Iftekhar Mahmood, APP
For the Informant	:	Mr. Ratnakar Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2021 Learned counsel for the petitioners seeks permission of the Court to withdraw this application in respect of petitioner no. 2 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect of petitioner no. 2.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period



of four weeks.

Heard learned counsel for the petitioner nos. 1, 3, 4 and 5, learned APP for the State and learned counsel for the informant.

The petitioner nos. 1, 3, 4 and 5 are apprehending their arrest in a case registered under Sections 341, 323, 324, 448, 354(B), 379, 504 and 506/34 of the Indian Penal Code.

The prosecution allegation, in short, is that few days ago, the the accused persons entered into the house of the informant and tried to take away her daughter but on hulla, they fled away. Later, the accused persons started threatening the informant and also assaulted her.

It has been submitted on behalf of the petitioners that the petitioner nos. 1, 3, 4 and 5 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner nos. 1, 3, 4 and 5. The petitioner nos. 1, 3, 4 and 5 has falsely been implicated in the present case. General and omnibus allegation has been made against petitioner nos. 1, 3, 4 and 5. No specific overt act is alleged against petitioner nos. 1, 3, 4 and 5. The F.I.R. has been instituted after 15 days of the occurrence. The petitioner nos. 3 to 5 are ladies.



On behalf of the State and the informant, it is submitted that petitioner nos. 1, 3, 4 and 5 are named in the F.I.R.

Considering the aforesaid facts and circumstances, let petitioner nos. 1, 3, 4 and 5, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -I, Jhanjharpur, Madhubani in connection with Bhairab Asthan P.S. Case No. 107/2020, G.R. No. 1349/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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