

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35282 of 2020

Arising Out of PS. Case No.-159 Year-2020 Thana- NAANPUR District- Sitamarhi

1. SAIMOON NISHA W/o Zafir Nadaf R/o village- Birar, Aliman Tola, P.S.- Nanpur, District- Sitamarhi
2. Ahmadi @ Lushiya W/o Late Raza Nadaf R/o village- Birar, Aliman Tola, P.S.- Nanpur, District- Sitamarhi
3. Tabassum Khatoon W/o Muslim R/o village- Birar, Aliman Tola, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ashhar Mustafa
For the Opposite Party/s :	Mr.Akshay Lal Pandit
	Mr. Dinesh Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-01-2021 Heard learned counsel for the parties.

This application for regular bail arises out of Nanpur P.S. Case No. 159 of 2020, disclosing offence punishable under Section 302 and other allied Sections of the Indian Penal Code.

The petitioners are in custody since 20.05.2020. There are 16 persons named in the FIR including these petitioners. It is alleged in the FIR that all the accused persons waylaid the informant when he was going to Bela Chowk. There is allegation against co-accused Zafir Nadaf of having pointed a sword towards him, when, allegedly, all the accused persons started assaulting him. The informant's father and other family



members, allegedly, came in his rescue when the persons named in the FIR started assaulting him too. Father of the informant succumbed to the injuries.

Learned counsel appearing on behalf of the petitioner has submitted that it is evident from the First Information Report that the dispute in respect of management over some *Madarsa* is the apparent reason behind the occurrence and false implication of these petitioners, who are female members of the family of Md. Zafir Nadaf. He has argued that there is no specific allegation against these petitioners, who are in custody since 20.05.2020.

Learned counsel for the informant, on the other hand, has vehemently opposed the prayer for bail and has argued that the case of the prosecution, as disclosed in the FIR, stands corroborated by the postmortem report and the injury report, which indicate multiple antemortem injuries and the injuries sustained by the prosecution side.

Be that as it may, considering the circumstance that the petitioners are females and there is no specific allegation against them of any overt act, this application is allowed.

Let the petitioners, above-named, be released on 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 SDJM, Pupri, Sitamarhi, in Nanpur P.S. Case No. 159 of
2020.

(Chakradhari Sharan Singh, J)

Rajesh/-

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