

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6384 of 2021

Arising Out of PS. Case No.-643 Year-2020 Thana- FORBESGANJ District- Araria

1. AFROJ ANSARI @ AFROJ Son of Jalil Ansari Resident of village - Rampur South, Ward No. 09, P.S. - Forbesganj, Dist.- Araria
2. Javed Ansari @ Md. Javed Ansari Son of Murslim Ansari Resident of village - Rampur South, Ward No. 09, P.S. - Forbesganj, Dist.- Araria
3. Saved Ansari @ Md. Saved Ansari Son of Murslim Ansari Resident of village - Rampur South, Ward No. 09, P.S. - Forbesganj, Dist.- Araria
4. Kashmin Khatoon Wife of Murslim Ansari Resident of village - Rampur South, Ward No. 09, P.S. - Forbesganj, Dist.- Araria
5. Rahat @ Rahat Khatoon Wife of Afroj Resident of village - Rampur South, Ward No. 09, P.S. - Forbesganj, Dist.- Araria
6. Sabrin Daughter of Muslim Ansari Resident of village - Rampur South, Ward No. 09, P.S. - Forbesganj, Dist.- Araria
7. Jalil Ansari Son of Late Kismat Ansari Resident of village - Rampur South, Ward No. 09, P.S. - Forbesganj, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Smt. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-08-2021 Heard learned counsel for the petitioners and learned APP for the State through virtual mode.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioners are apprehending their arrest in connection with Forbesganj P.S. case No.643 of 2020 registered



under Sections 147, 148, 341, 323, 307, 379, 504, 506 of the Indian Penal Code and Sections 3/4 Dayan Act.

Allegation is that the accused persons including the petitioners armed with lathi, danda and iron rod came and assaulted the informant and torn her clothes, as a result of which she became half naked. The petitioner Nos.2 and 3 assaulted the husband of the informant by means of farsa and iron rod, as a result of which her husband sustained injuries on his head. The sons of the informant came to save them, the accused persons also assaulted them.

It has been submitted on behalf of the petitioners that the petitioner Nos.3, 5, 6 and 7 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Specific allegation of assault is alleged against the petitioner Nos.2 and 3. The nature of injury is said to be simple. Hence, no offence under Section 307 of the I.P.C. is made out. Against rest of the petitioners, general and omnibus allegation has been made. No specific overt act is alleged against them.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.



Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. case No.643 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

