

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.909 of 2021

Arising Out of PS. Case No.-231 Year-2019 Thana- MANIYARI District- Muzaffarpur

1. RAIFUL KHATOON Wife of Md. Ismile Resident of Village - Bishunpur, P.S. - Maniyari, District - Muzaffarpur.
2. Md. Naushad Son of Md. Rauf Resident of Village - Bishunpur, P.S. - Maniyari, District - Muzaffarpur
3. Md. Sakur Son of Late Ali Hasan Resident of Village - Bishunpur, P.S. - Maniyari, District - Muzaffarpur
4. Johra Khatoon Wife of Md. Rauf Resident of Village - Bishunpur, P.S. - Maniyari, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar

For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners seeks permission
of the Court to withdraw this application in respect of petitioner
no. 3 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect
of petitioner no. 3.

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



of four weeks.

The petitioner nos. 1, 2 and 4 are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons surrounded the family members of the informant and assaulted them due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the petitioner nos. 1, 2 and 4 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner nos. 1, 2 and 4. The petitioner nos. 1, 2 and 4 have falsely been implicated in the present case. There is a case and counter case between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner nos. 1, 2 and 4 are named in the F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioner nos. 1, 2 and 4, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of



learned Judicial Magistrate, 1st Class Muzaffarpur in connection with Maniyari P.S. Case No. 231 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner nos. 1, 2 and 4 shall 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)

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