

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2967 of 2021

Arising Out of PS. Case No.-5 Year-2020 Thana- AMAUR District- Purnia

1. BIBI SANJEEDA Wife of Md Bhola @ Daud Resident of Village - Hakka Waerd no. 10, P.S.- Amour, District - Purnea.
2. Bibi Anjum Wife of Late Najir Resident of Village - Hakka Waerd no. 10, P.S.- Amour, District - Purnea.
3. Bibi Noor Sadi @ Noor Sadi Wife of Md Jahangir @ Jahangir Resident of Village - Hakka Waerd no. 10, P.S.- Amour, District - Purnea.
4. Md Bhola @ Daud @ Md Daud Son of Late Badhu Resident of Village - Hakka Waerd no. 10, P.S.- Amour, District - Purnea.
5. Md Ashique @ Ashique Son of Md Jagir Resident of Village - Hakka Waerd no. 10, P.S.- Amour, District - Purnea.
6. Md Shahnawaj @ Shahnawaj Son of Md Amin Resident of Village - Hakka Waerd no. 10, P.S.- Amour, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2021 Heard learned counsel for the petitioners and the State through virtual mode.

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

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 325, 324, 302/504 of the Indian Penal Code.



Prosecution case in short is that co-accused Jahangir was uprooting the maize plant of Gotia of the informant which was questioned by Md. Rahbar and in consequence thereof, Md. Rahbar was assaulted. It is further alleged that while the husband of the informant intervened with a view to pacify the dispute, the accused persons having formed unlawful assembly with their common object having armed with deadly weapons came and started abusing and in furtherance thereof, due to previous enmity, all the accused persons including the petitioners brutally assaulted the husband of the informant and consequently, the husband of the informant succumbed to the injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. Altogether 14 persons are named in the FIR including the petitioners.

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

Considering the aforesaid facts and circumstances of the



case and also the lockdown, 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, Purnea in connection with Amour P.S. Case No. 05 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 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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