

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4453 of 2021

Arising Out of PS. Case No.-148 Year-2019 Thana- BATHNAHA District- Sitamarhi

1. RABILA KHATOON @ RAVILA KHATOON W/O MAKHRUDDIN MANSOORI RESIDENT OF VILLAGE- MUBARAKPUR, P.S- MAJORGANJ, DISTT- SITAMARHI
2. SABILA KHATOON @ SAVILA KHATOON D/O MD. ISLAM MANSOORI RESIDENT OF VILLAGE- DHARMPUR @ DHARAMPUR, P.S- BATHNAHA , DISTT- SITAMARHI
3. ULSUN KHATOON @ KULSUM KHATOON W/O SAHID MANSOORI RESIDENT OF VILLAGE- DHARMPUR @ DHARAMPUR, P.S- BATHNAHA , DISTT- SITAMARHI
4. MD. ISLAM MANSOORI @ ISLAM MANSOORI SON OF MD. TUNNA MANSOORI RESIDENT OF VILLAGE- DHARMPUR @ DHARAMPUR, P.S- BATHNAHA , DISTT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2021 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Bathnaha P.S. Case No. 148 of 2019 registered for the offence punishable under Sections 341, 323, 504 and 307 of the Indian Penal Code.

The allegation is regarding the informant having broken the leg of the hen of the petitioner



no. 4, whereafter the petitioners are alleged to have set the house of the informant on fire resulting in the informant also receiving burn injuries.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. It is further submitted that the injuries, if any inflicted upon the informant, are simple in nature, hence, at least, the female accused persons i.e. the petitioners no. 1 to 3 may be granted the privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record, this Court prima facie finds that the main aggressor is the male accused person i.e. the petitioner no. 4. As far as the other



three female accused persons are concerned, a general and omnibus allegation has been levelled, hence, I deem it fit and appropriate to grant the privilege of anticipatory bail to the petitioners no. 1 to 3.

Accordingly, the petitioners no. 1 to 3 are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Bathnaha P.S. Case No. 148 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

At this juncture, the learned counsel for the petitioners has submitted that the petitioner no. 4 may be granted liberty to surrender before the learned court below within a period of four weeks from today in order to avail the privilege of regular



bail. Liberty so sought is granted.

(Mohit Kumar Shah, J)

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