

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4107 of 2021

Arising Out of PS. Case No.-219 Year-2020 Thana- MADHEPURA District- Madhepura

1. Bibi Rabiya @ Rabina Wife Of Md. Kalam Mistri Resident Of Village-Madhepura, Ward No.-11,P.S-MADHEPURA, Distt.-MADHEPURA
2. Bibi Khairun Nisha Wife Of Late Md. Razee Resident Of Village-Madhepura, Ward No.-11,P.S-MADHEPURA, Distt.-MADHEPURA
3. Juhi Wife Of Md. Chand Resident Of Village-Madhepura, Ward No.-12,P.S-MADHEPURA, Distt.-MADHEPURA
4. Bibi Rubi Wife Of Late Md. Mano Resident Of Village-Madhepura, Ward No.-12,P.S-MADHEPURA, Distt.-MADHEPURA
5. Md. Raja Son Of Md. Kalam Resident Of Village-Madhepura, Ward No.-11,P.S-MADHEPURA, Distt.-MADHEPURA
6. Md. Manjar Son Of Md. Kalam Mistri Resident Of Village- Collage Chowk,P.S-Madhepura, District-Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to
remove the defects, 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, 324,
307, 448, 379, 504 of the Indian Penal Code.



The prosecution allegation, in short, is that in a family feud, the accused persons assaulted the informant and family members due to which they sustained 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. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. The specific allegation of assault is alleged against co-accused, namely, Md. Shamim, Md. Fulo and Md. Salauddin. There is a case and counter case between the parties. A free fight is alleged to have taken place. Both the sides are said to have received injuries. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. The petitioner nos. 1 to 4 are ladies.

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

Considering the aforesaid facts and circumstances and also the lockdown, the petitioners, 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 Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 219/2020, 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) each 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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