

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9443 of 2022

Arising Out of PS. Case No.-274 Year-2021 Thana- SIKARPUR District- West Champaran

1. HASAN TARA KHATOON @KUSUM TARA KHATOON W/o Samsudin Gaddi Resident of Village - Pachmava, P.s.- Shikarpur, Distt.- West Champaran.
2. Bolar Gaddi Son of Late Adalat Gaddi Resident of Village - Pachmava, P.s.- Shikarpur, Distt.- West Champaran.
3. Hasmudin Gaddi Son of Late Chanar Gaddi Resident of Village - Pachmava, P.s.- Shikarpur, Distt.- West Champaran.
4. Samsudin Gaddi Son of Late Chanar Gaddi Resident of Village - Pachmava, P.s.- Shikarpur, Distt.- West Champaran.
5. Solar Gaddi Son of Late Adalat Gaddi Resident of Village - Pachmava, P.s.- Shikarpur, Distt.- West Champaran.
6. Tafe Khatoon @ Tara Khatoon W/o Madhu Gaddi Resident of Village - Pachmava, P.s.- Shikarpur, Distt.- West Champaran.
7. Tababun Khatoon @ Sahabun Khatoon W/o Anilal Gaddi Resident of Village - Pachmava, P.s.- Shikarpur, Distt.- West Champaran.
8. Jamrool Khatoon W/o Sadhu Gaddi Resident of Village - Pachmava, P.s.- Shikarpur, Distt.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Namrata Mishra, Advocate
For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 448, 341, 323, 324, 325, 307, 354, 504 and 34 of the Indian Penal Code.

The informant alleges that Madhu Gaddi entered her



house in absence of her husband and thereafter Sadhu Gaddi, under intoxication, started misbehaving and in the scuffle her thumb broke, further on alarm, the accused persons entered her house and started assaulting and when her husband came, he was also assaulted by Sadhu Gaddi by *farsa* on head causing injury.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner nos. 1, 6, 7 and 8 are women and from bare perusal of the allegation as alleged in the F.I.R. it would manifest that specific allegation of assault by *farsa* on the head of the informant's husband is against Sadhu Gaddi and as far as these petitioners are concerned, the allegation of assault is general and omnibus in nature. Learned counsel further submits that the petitioners on account of previous enmity have been falsely implicated as the F.I.R. even does not remotely suggest the motive or reason for the occurrence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shikarpur P.S. Case No. 274 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

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

