

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19060 of 2021

Arising Out of PS. Case No.-104 Year-2020 Thana- KASBA District- Purnia

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1. MD. RIYAZUL SON OF LATE WAHID ALI R/O VILLAGE- DUMRI WARD NO.12, P.S.- KASBA, DISTRICT- PURNEA.
 2. BIBI AFSHANA @ AFSANA WIFE OF MD. RIYAZUL R/O VILLAGE- DUMRI WARD NO.12, P.S.- KASBA, DISTRICT- PURNEA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nadimul Hasan, Advocate.

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 10-01-2022 Heard Mr. Nadimul Hasan, learned Advocate for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners who are aged about 75 and 65 years respectively seek bail in anticipation of their arrest in connection with Kasba P. S. Case No. 104 of 2020 instituted for the offences under Sections 147, 149, 323, 341, 452, 307, 379, 354 and 504 of the Indian Penal Code.

Both the petitioners are said to have assaulted the informant, her husband and her daughter. The accusation is of



assault by lathi and a sharp cutting weapon (dabiya) respectively.

The learned counsel for the petitioners has submitted that the accusation is absolutely false. Because of the old enmity and personal grudge, this case has been lodged in which the petitioners who are elderly persons, have also been made accused.

From the impugned order only, it appears that the injuries suffered by the victims are all simple in nature which could have been caused in any other transaction and not necessarily in connection with the present case. Apart from this, it has been submitted that the petitioners are persons of clean antecedents.

Regard being had to the facts afore-stated, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea in connection with Kasba P.S. Case No. 104 of 2020 , subject to the condition as laid down under Section 438 (2) Cr. P.C.



The application stands allowed.

(Ashutosh Kumar, J)

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