

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30183 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- GOGRI District- Khagaria

1. MAJDA KHATOON Wife of Md. Wasim Resident of Village Rampur, East Tola Police station - Gogri, District - Khagaria.
2. FARJANA KHATOON Wife of Md. Hasim Resident of Village Simribakhatiyarpur, Police Station - Simribakhatiyarpur, District - Saharsa.
3. MD. HASHIM Son of Md. Asfak Resident of Village Simribakhatiyarpur, Police Station - Simribakhatiyarpur, District - Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddhartha Kumar Singh, Advocate
For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2022 Heard learned counsel for the petitioners and learned
APP for the State.

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

Supplementary affidavit has been filed on behalf of the petitioners. Same be kept on the record.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 354(A), 307, 313, 504 and 34 of the Indian Penal Code.

Allegation is that the petitioners assaulted the



informant by means of fists and slaps causing her miscarriage.

It has been submitted on behalf of the petitioners that the petitioner Nos.2 and 3 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. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. Prosecution has not come with clean hands. Petitioner Nos.1 and 2 are ladies. From perusal of Annexure 5 to the supplementary affidavit, it is evident that the informant has retracted from her earlier statement made in the F.I.R.

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

Considering the facts and circumstances of the case, 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Gogri P.S. case No.84/2020 arising out of G.R. No.829/2020, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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