

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22729 of 2022

Arising Out of PS. Case No.-142 Year-2021 Thana- PRATAPGANJ District- Supaul

1. BIBI BUCHNI @ BUCHNI W/o Md. Kalim Resident of Parmanandpur, P.S.- Pratapganj, Distt.- Supaul
2. MD. SHAHBUDDIN S/o Md. Kalim Resident of Parmanandpur, P.S.- Pratapganj, Distt.- Supaul
3. MD. JIYAUDDIN S/o Md. Kalim Resident of Parmanandpur, P.S.- Pratapganj, Distt.- Supaul
4. MD. SONA S/o Md. Kalim Resident of Parmanandpur, P.S.- Pratapganj, Distt.- Supaul
5. MD. ASLAM S/o Md. Kalim Resident of Parmanandpur, P.S.- Pratapganj, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-08-2022 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 147, 149, 341, 323, 325, 307, 379, 504, 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner nos. 2 to 5 are persons with clean antecedent and the informant alleges that when her elder sister-in-law Bibi Maitun was returning home after withdrawing money from the bank,



she was intercepted by the accused persons and Md. Sahabuddin, Md. Kalim snatched bag containing Rs. 12,000/- and a golden chain and Jiyauddin, Sona, Giasuddin, Aslam, Khudabaksh and Gaffur brutally assaulted Bibi Maitun by lathi, thereafter accused came to the house of the informant and assaulted informant's brother Mustak, further Bibi Buchni gave orders to kill on which Kalim assaulted Mustak on head by spade causing injury, further informant was assaulted by accused persons and Giasuddin and Gaffur snatched mobile and Rs. 500/- from the informant.

Learned counsel for the petitioners submits that from bare perusal of allegation as alleged in the FIR it would manifest that as far as allegation of assaulting Bibi Maitun by the accused persons is alleged the same is general and omnibus in nature, it is next submitted that specific allegation of assaulting Mustak by spade on head as against Kalim on the orders of Bibi Buchni, it is next submitted that as far as allegation of snatching mobile and Rs. 500/- from the informant is alleged the same is ornamental in nature, it is next submitted that the injuries suffered by the injured are simple in nature, except Md. Mustak who sustained grievous injury, it is next submitted that the entire family members of the petitioners have



been implicated in the present case, it is also submitted that Md. Kalim instituted Pratapganj P.S. Case No. 143 of 2021 against the informant and others.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Pratapganj P.S. Case No. 142 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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