

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25450 of 2022

Arising Out of PS. Case No.-156 Year-2021 Thana- MAIRWAN District- Siwan

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1. ASIF RAZA KHAN @ ASIF KHAN S/O RAYAZUDDIN KHAN
 2. TAUFIQUE RAZA KHAN @ TAUFIQUE KHAN S/O RAYAZUDDIN KHAN
 3. RUBI KHATOON W/O RAYAZUDDIN KHAN
- All are R/o village - English, P.S. - Mairwa, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-06-2022 Learned counsel for the petitioners submits that petitioner no. 2 Aufique Raza Khan @ Taufique Khan has been arrested during the pendency of the present anticipatory bail application, as such, seeks permission to withdraw the prayer for anticipatory bail against him.

Permission is accorded.

Heard learned counsel for the petitioner nos. 1 and 3 and learned A.P.P. for the State.

The petitioner nos. 1 and 3 apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 354, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner nos. 1 and 3 submits that the petitioner nos. 1 and 3 are persons with clean



antecedent and petitioner no. 3 is a woman.

The informant alleges that her son Mehdi Hasan and daughter Sabina Khatoon went to the field for work and, at about 11:00 a.m., her son came to the house for taking water then Asif Raja Khan and Taufique Raja Khan started teasing the daughter of the informant while she was alone in the field. When the son reached the place of occurrence then her daughter and son protested them on which they assaulted the son on his head and chest by means of Kudal injuring him severely. It is alleged that the said accused persons also assaulted her daughters who also received injury and thereafter it is alleged that all the petitioners threatened to abduct the daughter of the informant.

Learned counsel for the petitioner nos. 1 and 3 further submits that petitioner nos. 1 and 3 have been falsely implicated in the present case. No such occurrence had taken place. It is next submitted that petitioner no. 3 has been implicated in the present case only for the reason that she is the mother of Asif Raja Khan and Taufique Raja Khan. It is also submitted that the injury on Mehdi Hasan has been kept reserved.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner nos. 1 and 3 and submits that



there is direct allegation of assault against petitioner no. 1 and also points out that petitioner no. 1 along with his brother was teasing the sister of the injured when she was alone in the field.

At this stage, learned counsel for the petitioner no. 1 and 3 seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 1.

Permission is accorded.

In view of the submissions made by the learned counsel for the petitioner no. 3, the petitioner no. 3 Rubi Khatoon, in the event of her 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) 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 Mairwa P.S. Case No. 156 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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