

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30515 of 2022

Arising Out of PS. Case No.-251 Year-2021 Thana- MOUZAHDIPUR District- Bhagalpur

1. JANNAT @ ALISHA PRAWEEEN Daughter of Md. Irshad Resident of Mohalla-Jabbarchak, Near Pani Tanki, P.S.-Tarapur, District-Bhagalpur.
2. Md. Tannu @ Md. Irfan Son of Md. Wasim Resident of Mohalla-Jabbarchak, Near Pani Tanki, P.S.-Tarapur, District-Bhagalpur.
3. Md. Jabo @ Md. Jawed Son of Md. Wasim Resident of Mohalla-Jabbarchak, Near Pani Tanki, P.S.-Tarapur, District-Bhagalpur.
4. Md. Banti @ Md. Tanweer Son of Md. Wasim Resident of Mohalla-Jabbarchak, Near Pani Tanki, P.S.-Tarapur, District-Bhagalpur.
5. Soni Praween @ Soni D/o Md. Wasim Resident of Mohalla-Jabbarchak, Near Pani Tanki, P.S.-Tarapur, District-Bhagalpur.
6. Md. Mehtab @ Mehtab Alam Son of Late Md. Abdul Hamid Sheikh @ Late Md. Futto Resident of Mohalla-Gulab Darzi Lane, Bandhu Modi Hatt Hussainabad, P.S.-Babarganj, District-Bhagalpur.
7. Md. Nishar @ Nisher Sheikh Son of Late Md. Abdul Hamid Sheikh @ Late Md. Futto Resident of Mohalla-Gulab Darzi Lane, Bandhu Modi Hatt Hussainabad, P.S.-Babarganj, District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-11-2022 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 341, 323, 325, 307, 379, 354(B) and 34 of the Indian Penal Code.

The informant alleges that on 05.09.2021 at about



5:00 pm, the petitioners along with other accused persons entered his house, further petitioner no. 6 assaulted the mother of the informant with an iron rod causing him fracture, it is next alleged that petitioner Alisha Praween assaulted her with fists, thereafter, Mehtab attempted to disrobe his sister-in-law and Tannu and Banti broke open the box and took away Rs. 20,000/- and assaulted the informant with an iron rod on her shoulder, it is further alleged that the reason for the occurrence was that wife of the informant was talking on mobile phone with another boy and on protest of the same the occurrence took place.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that date of occurrence is 05.09.2021 and the FIR came to be instituted on 08.09.2021, the parties are close relatives and a joint compromise petition has been filed on 12.10.2021. Learned counsel next submits that the delay in instituting the FIR has not been explained.

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 Mozahidpur P.S. Case No. 251 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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