

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46326 of 2021

Arising Out of PS. Case No.-48 Year-2021 Thana- BAISI District- Purnia

-
-
1. KAMRUL Son of Gaffur R/o- Village- Bairia Tola, Sarbajia, P.S.- Baisi, District- Purnea.
 2. Samrul Son of Gaffur R/o- Village- Bairia Tola, Sarbajia, P.S.- Baisi, District- Purnea.
 3. Sanjari Khatoon Wife of Kamrul R/o- Village- Bairia Tola, Sarbajia, P.S.- Baisi, District- Purnea.
 4. Rubi Wife of Kamrul R/o- Village- Bairia Tola, Sarbajia, P.S.- Baisi, District- Purnea.
 5. Merzee @ Farzee Praveen Wife of Md. Badrul @ Badrul R/o- Village- Bairia Tola, Sarbajia, P.S.- Baisi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Dr. Bidhu Ranjan
For the State	:	Mr. Nasrul Hoda Khan, S.C.-1 Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-02-2022 At the very outset, learned Senior Counsel for the petitioners seeks permission to withdraw the present anticipatory bail application as against petitioner No. 1 and 2.

Permitted to be withdrawn.

It is, thus, dismissed as withdrawn as against petitioner No. 1 and 2.

Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned Senior Counsel for the petitioners and learned counsel for the informant as well as learned Standing



Counsel No. 1 for the State through video conferencing.

The petitioners apprehend their arrest in connection with Baisi P.S. Case No. 48/2021 registered for the offences punishable under Sections 341/323/302/34 of the Indian Penal Code.

Petitioners No. 3, 4 and 5 are said to have participated in the occurrence. The allegation against them are general and omnibus. They are female members of the family and this court is *prima facie* of view that the petitioners have been falsely enroped in this case and there is no likelihood of any misuse of the liberty by the petitioners.

Considering the judgment of the Apex Court passed in the case of *Jai Prakash Singh Vs. State of Bihar and another [(2012) 4 SCC 379]*, the present anticipatory bail application is allowed.

Accordingly, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of ten weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea, in connection with Baisi P.S. Case No. 48/2021, subject to the conditions as laid down under Section



438 (2) of the Cr.P.C.

The court below is directed to consider the regular bail of the petitioners without being prejudiced by the fact that their anticipatory bail application has been dismissed by this Court.

(Sandeep Kumar, J)

Saif/-

U		T	
---	--	---	--

