

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46702 of 2021

Arising Out of PS. Case No.-47 Year-2021 Thana- FULKAHA District- Araria

1. Shahnaz Khatoon @ Praveen @ Shahnaz Praveen W/o Mir Rafique R/o Village- Bhawanipur, Ward No.2, P.S.- Fulkaha, District- Araria.
2. Md Istekhar @ Mir Istekhar Alam @ Md. Istekhar Alam S/o Mir Nizamuddin R/o Village- Bhawanipur, Ward No.2, P.S.- Fulkaha, District- Araria.
3. Mir Nizamuddin S/o Late Mir Azhar R/o Village- Bhawanipur, Ward No.2, P.S.- Fulkaha, District- Araria.
4. Bibi Sabnam Khatoon @ Sabnam Khatoon @ Bibi Sabnam W/o Md. Jamrul R/o Village- Bhawanipur, Ward No.2, P.S.- Fulkaha, District- Araria.
5. Bibi Kunia Khatoon W/o Mir Rustam @ Rustam R/o Village- Bhawanipur, Ward No.2, P.S.- Fulkaha, District- Araria.
6. Mir Rustam @ Ruatam S/o Mir Kaiyyam @ Ajmul R/o Village- Bhawanipur, Ward No.2, P.S.- Fulkaha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Kundan Kumar Singh, Advocate
For the Opposite Party	:	Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 18-04-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Fulkaha P.S. Case No.47 of 2021 registered for offences under Sections 147, 341, 323, 324, 325, 307, 379, 504 and 506/34 of the Indian Penal Code.

At the very outset, learned counsel for the petitioners submits that petitioner no. 3, namely, Mir Nizamuddin has been



arrested during the pendency of this application. Hence, he prays for withdrawal of the application.

Prayer is allowed.

The application for anticipatory bail is dismissed as withdrawn so far as petitioner no. 3, namely, Mir Nizamuddin is concerned.

Learned counsel for the petitioners seeks permission to withdraw the application on behalf of petitioner nos.2 and 6, namely, Md. Istekhar @ Mir Istekhar Alam @ Md. Istekhar Alam and Mir Rustam @ Ruatam.

Permission is accorded.

The application for anticipatory bail is dismissed as withdrawn so far as petitioner nos.2 and 6, namely, Md. Istekhar @ Mir Istekhar Alam @ Md. Istekhar Alam and Mir Rustam @ Ruatam are concerned.

In case petitioner nos.2 and 6, namely, Md. Istekhar @ Mir Istekhar Alam @ Md. Istekhar Alam and Mir Rustam @ Ruatam surrender and pray for regular bail before the court below within a period of four weeks from today, the court below will consider the petition for regular bail of the petitioners without being prejudiced by the fact that anticipatory bail petition has been dismissed as withdrawn.



So far as petitioner nos.1, 4 and 5, namely, Shahnaz Khatoon @ Praveen @ Shahnaz Praveen, Bibi Sabnam Khatoon @ Sabnam Khatoon @ Bibi Sabnam and Mir Rustam @ Ruatam are concerned, in the facts and circumstances of the case, their application for anticipatory bail is allowed.

Accordingly, let petitioner nos.1, 4 and 5, namely, Shahnaz Khatoon @ Praveen @ Shahnaz Praveen, Bibi Sabnam Khatoon @ Sabnam Khatoon @ Bibi Sabnam and Mir Rustam @ Ruatam, in the event of their arrest or surrender within four weeks from today, be released on 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 learned Additional Chief Judicial Magistrate-1, Araria in connection with Fulkaha P.S. Case No.47 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sandeep Kumar, J)

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