

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44910 of 2022

Arising Out of PS. Case No.-104 Year-2022 Thana- PUNAURA District- Sitamarhi

1. LATIF NADAF SON OF LATE RAHMAN NADAF
2. JUMRATI NADAF SON OF LATE JALIL NADAF
3. JASIRA KHATOON WIFE OF LATIF NADAF
4. JARIRA KHATOON @ ALIMA KHATOON WIFE OF JUMRATI NADAF
5. ASLAM NADAF SON OF LATE USMAN SHEIKH
6. AZAM SHEIKH SON OF LATE USMAN SHEIKH
7. SAMULLAH SHEIKH SON OF ALAM SHEIKH
8. ASARAF NADAF @ ASHRAF SON OF MD. KHURSHAID NADAF
9. SAMSAD NADAF SON OF LATIF NADAF
10. AMINA KHATOON WIFE OF SADAM NADAF
11. NAJMA KHATOON WIFE OF MD. IDRIS NADAF
All R/O VILLAGE- RAGHOPUR BAKHRI, P.S.- PUNAURA, DISTRICT-
SITAMARHI (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-09-2022 Learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail with respect to petitioners no. 3 and 4 as they have been arrested during pendency of this application.

Permission is accorded.

Heard learned counsel for the petitioners no. 1, 2 and 5 to 11 and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks.



The petitioners no. 1, 2 and 5 to 11 apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 379, 427, 436, 354(B), 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners no. 1, 2 and 5 to 11 submits that petitioners no. 1, 2 and 8 have antecedent of one case and petitioners no. 5, 6, 7, 9, 10 and 11 are persons with clean antecedent.

The informant alleges that in her absence and absence of her husband, the accused persons including the petitioners no. 1, 2 and 5 to 11 committed dacoity and looted ornaments and household articles. It is further alleged that Jasira Khatoon and Amina Khatoon assaulted her daughter-in-law with an intention to cause miscarriage.

Learned counsel for the petitioners no. 1, 2 and 5 to 11 submits that petitioners no. 1, 2 and 5 to 11 have been falsely implicated in the present case. He submits that sister of petitioner no. 4 had instituted a complaint case under Section 376 of the Indian Penal Code and Section 30(A) of the Excise Act against the son of the informant, which led to the institution of the present FIR in which the entire family members came to be implicated. He further submits that from perusal of the allegation as alleged in the FIR, it does not manifest that any miscarriage occurred to the



daughter-in-law of the informant. He thus submits that only to give a serious colour to the case falsely it was alleged that Jasira Khatoon and Amina Khatoon assaulted her daughter-in-law of the informant.

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 no. 1, 2 and 5 to 11, the petitioners no. 1, 2 and 5 to 11 above-named, in the event of their 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.10,000/- (Rupees Ten Thousand) each 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 Punaura P.S. Case No. 104 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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