

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60204 of 2021

Arising Out of PS. Case No.-865 Year-2017 Thana- BETTIAH CITY District- West
Champaran

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1. AISHA KHATOON W/o Late Farukh Mian @ Late Md. Faruk Resident of Village- Baswariya, P.S.- Bettiah Town, District- West Champaran.
 2. Bhola Mian Son of Late Farukh Mian @ Late Md. Faruk Resident of Village- Baswariya, P.S.- Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mrityunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2022 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 147, 148, 149, 341, 323, 307, 387 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner no. 1 has antecedent of one case and petitioner no. 2 has antecedent of three cases. It is next submitted that all the cases have been instituted from the side of the present informant and the informant alleges that on 02.12.2017 at 04:00 P.M. while he was having breakfast, the accused persons, including the petitioners, along with 20-22 unknown accused persons, all



variously armed came to his house, it is next alleged that they came with a view to take possession of the house and the named accused persons assaulted the informant and his family members and Abdul Gaffar demanded Rs. 10 lakh by way of extortion, it is further alleged that the entire occurrence took place on account of forcefully occupying the house of the informant.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, from perusal of the allegation as alleged in the FIR it would manifest that specific allegation of assault is against the named accused persons in the FIR, as far as these petitioners are concerned, they have not been attributed with any specific overt act. Learned counsel next submits that petitioner no. 1 is a lady and on account of dispute with the informant they are being continuously implicated in false cases.

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 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 Bettiah
Town P.S. Case No. 865 of 2017 subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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