

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62493 of 2021

Arising Out of PS. Case No.-195 Year-2021 Thana- MAKHDUMPUR District- Jehanabad

1. Jumi Khatoon @ Jumi Parveen @ Arshadi Bano Daughter Of Guddu Miyan @ Imam Sarwar Resident Of Village- Kumardih, Police Station- Jehanabad, District- Jehanabad.
2. Rumi Khatoon @ Alfi Bano D/O Guddu Miyan @ Imam Sarwar Resident Of Village- Kumardih, Police Station- Jehanabad, District- Jehanabad.
3. Ruhi Khatoon @ Ruhni Praveen @ Ruhni Khatoon D/O Guddu Miyan @ Imam Sarwar Resident Of Village- Kumardih, Police Station- Jehanabad, District- Jehanabad.
4. Guddu Miyan @ Md. Imam Sarwar Son Of Nathun Miyan Resident Of Village- Kumardih, Police Station- Jehanabad, District- Jehanabad.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 18-07-2022 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 353, 332, 333, 337, 224, 225, 307, 354, 504, 506 and 509 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioner nos.1, 2 and 3 are persons with clean antecedent and are women and petitioner no.4 has antecedent of one case under Section 376/ 34 of the I.P.C. and the informant alleges that on receiving confidential information that petitioner no.4 an accused of Jehanabad Mahila P. S. Case No.39 of 2020 has



come home, as such, the informant along with police force reached his house when on seeing the police, the neighbours gathered and when the police started raiding the house of petitioner no.4, when in the meantime, the relatives of petitioner no.4 and nearby people started opposing the arrest of the petitioner no.4 and he managed to escape. It is next submitted that the accused persons including 20-25 unknown miscreants started brick-batting leading to injury to one constable.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that the allegation of pelting stones and brick batting are general and omnibus in nature. It is also submitted that petitioner nos.1, 2 and 3, being relative of petitioner no.4, have been falsely implicated in order to ensure that petitioner no.4 since coerced to surrender. The learned counsel for the petitioners submits that later on petitioner no.4 was granted anticipatory bail by this Court in the said case.

Learned A.P.P. opposes the bail application and submits that as far as petitioner nos.1, 2 and 3 are concerned, no doubt, allegation against them are general and omnibus, but vehemently opposes the bail application of petitioner no.4.

Considering the submission made by the learned



Additional Public Prosecutor, the Court is not inclined to extend the privilege of bail to petitioner no.4.

Accordingly, his prayer for bail stands rejected.

So far as petitioner nos.1, 2 and 3 are concerned, they, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Makhdumpur P. S. Case No.195 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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