

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60260 of 2022

Arising Out of PS. Case No.-79 Year-2022 Thana- MADHEPUR District- Madhubani

1. Md. Majid @ Abdul Majid Khan @ Md.Majid Khan S/o Abdul Hafia Khan Resident Of Village And P.S.- Madhepur, District- Madhubani.
2. Abdul Hamid Khan S/o Abdul Hafia Khan Resident of Village And P.S.- Madhepur, District- Madhubani.
3. Abdul Hafiz Khan S/o Late Sidique Khan Resident of Village And P.S.- Madhepur, District- Madhubani.
4. Nasim Khan @ Mohammad Nasim Khan S/o Asique Khan Resident Of Village And P.S.- Madhepur, District- Madhubani.
5. Md. Issa Khan @ Ujala S/o Ashik Khan Resident of Village And P.S.- Madhepur, District- Madhubani.
6. Samim Khan @ Samin Khan S/o Late Ajman Khan Resident of Village And P.S.- Madhepur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ratanakar Jha, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar Jha, APP
For the Informant	:	Mr. Baleshwar Kamat, Advocate
		Mr. Arun Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

Learned counsel for the petitioners seeks permission
to withdraw the present anticipatory bail application with
respect to petitioner no.4.

Permission is accorded.

The petitioner nos. 1, 2, 3, 5 and 6 apprehend their
arrest in a case registered for the offences punishable under



Sections 341, 323, 324, 379, 354(B), 504, 506, 325 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that accused persons, including the petitioners, came to her house and Abdul Hafiz disrobed her, Naseem assaulted by dagger causing injury on stomach, Md. Mazid assaulted her son by *farsa*, further accused persons assaulted her husband, it is further alleged that Mukhtari snatched jewelry worth Rs. 5,000/- and the accused persons also damaged roof of her house.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that no doubt an occurrence had taken place on account of previous dispute in which the petitioners came to be implicated with general and omnibus allegation, it is further submitted that no doubt it is alleged that Md. Mazid assaulted her son by *farsa* but then the injury is simple in nature and as far as allegation of assaulting her husband is alleged, the same is not specific, the allegation of disrobing her is ornamental and the injuries suffered by the injured are simple in nature.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the



petitioners but are not in a position to rebut the submission of the learned counsel for the petitioner that the injuries suffered by the injured are simple in nature.

Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 1, 2, 3, 5 and 6, 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 Madhepur P.S. Case No. 79 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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