

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10885 of 2023

Arising Out of PS. Case No.-170 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

1. Md. Imtiyaj S/O Md. Kalim Uddin R/O Mohalla- Bhaisasur, P.S- Laheri, District- Nalanda
2. Md. Sayad @ Saiyad Hasan S/O Md. Kalim Uddin R/O Mohalla- Bhaisasur, P.S- Laheri, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Opposite Party/s : Ms. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-05-2023 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 447, 448, 341, 323, 504, 354(B), 307/34 of the Indian Penal Code.

It is alleged that all the F.I.R. named accused persons including these petitioners snatched the *dupatta* of the informant and threw her on the bed. Petitioner No. 1 is alleged to have tried to outrage her modesty and allegation against petitioner No. 2 is of pressing her neck and when the husband of the informant came to save her, all the accused persons assaulted him by means of rod and *danda* as a result of which he



sustained injury.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Petitioners are own brother of the husband of the informant and due to petty dispute, an altercation took place between them in which both sides sustained injuries. Case and counter case. Case lodged by the petitioners is earlier in point of time. Allegation of assault against the petitioners is general and omnibus and they have got clean antecedent.

Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-5, Nalanda in Bihar Sharif in connection with Laheri P. S. Case No. 170 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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