

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18014 of 2023

Arising Out of PS. Case No.-324 Year-2022 Thana- PALASI District- Araria

1. MD. SADIR Son of Sarif @ Md. Sarif Resident of village - Karor Dighali, Police Station - Palasi, District - Araria.
2. Md. Sarif Son of Late Masleuddin Resident of village - Karor Dighali, Police Station - Palasi, District - Araria.
3. Md. Hasim Son of Tajmul Resident of village - Karor Dighali, Police Station - Palasi, District - Araria.
4. Idrish Son of Mirchai @ Marchiniya Resident of village - Karor Dighali, Police Station - Palasi, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2023 Heard the parties.

The petitioners are apprehending arrest in connection with Palasi P.S. Case No. 324 of 2022 under sections 341, 323, 307, 354B, 379, 504, 506/34 of the Indian Penal Code.

The prosecution story, in brief, is that the informant got married with Md. Dabir and subsequently she was ousted from the in-laws' house. She alleged that the petitioner solemnized second marriage for which she lodged Palasi P.S. Case No. 179 of 2022 as a result, she was badly assaulted and her modesty was outraged too.

It has been submitted by the learned counsel for the petitioners that earlier a case section 498A of the IPC was lodged against them and the same has been followed with the



present case. The injuries have been found to be simple in nature and all of them belong to their own family and further, they intend to give medical assistance of Rs. 20,000/- to the injured irrespective of the outcome of the present case and without accepting the allegation.

Learned APP opposes the prayer.

Taking into account the aforesaid facts that the injuries have been found to be simple in nature as also the submission put forward by the learned counsel for the petitioners, this Court is inclined to grant them the privilege of anticipatory bail subject to payment of Rs. 20,000/- as stated above.

Let the petitioners be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Araria, in connection with Palasi P.S. Case No. 324 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show



his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Ravi/Kiran

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