

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30605 of 2023

Arising Out of PS. Case No.-358 Year-2022 Thana- RAXAUL District- East Champaran

1. Md. Zaid @ Md. Jaid Son Of Badrud Doza R/O-Kaurihar Chowk, College Road, Ward No. 3, P.S.-RAXAUL, Distt.-EAST Champaran
2. Hena Khatoon @ Hena Kaushar Wife Of Md. Jaid R/O-Kaurihar Chowk, College Road, Ward No. 3, P.S.-RAXAUL, Distt.-EAST Champaran
3. Rafeya Khatoon Wife Of Badrud Doza R/O-Kaurihar Chowk, College Road, Ward No. 3, P.S.-RAXAUL, Distt.-EAST Champaran
4. Gudia Khatoon Daughter Of Md. Badrud Doza R/O-Kaurihar Chowk, College Road, Ward No. 3, P.S.-RAXAUL, Distt.-EAST Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar No.III, Advocate
For the Opposite Party/s	:	Mr. Ram Sumiran Rai, APP
For the Informant	:	Mr. Rahul Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-07-2023 1. Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that the petitioner nos.2, 3 and 4 are women, petitioner nos. 1 and 3 have antecedent of one case, petitioner nos. 2 and 4 are persons with clean antecedent and the informant alleges that petitioner no.1 assaulted him by *garasa* causing injury on head, thereafter



Badru assaulted him and his wife by *lathi*, further petitioner no.3 assaulted his wife by an iron rod and snatched her earring and Rs. 25,000/-.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that the petitioners and the informant are agnates and a title suit is pending between the parties, it is further submitted that the injuries suffered by the injured is simple in nature. Learned counsel next submits that the reason for the occurrence is non-payment of rent by accused persons as such it amply demonstrates that the dispute is civil in nature.

5. Learned A.P.P. for the State and the 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 injury suffered by the injured is simple in nature.

6. 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 Raxaul
P.S. Case No. 358 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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