

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37396 of 2022

Arising Out of PS. Case No.-8 Year-2021 Thana- BALUA BAZAR District- Supaul

1. RABINA KHATOON @ JAMINA KHATOON Wife of Md. Jibrail Resident of Village-Lakshminiya, Ward No.-13, Police Station-Balua Bazar, District-Supaul.
2. Md. Jibrail Son of Late Mustafa Resident of Village-Lakshminiya, Ward No.-13, Police Station-Balua Bazar, District-Supaul.
3. Md. Sabir @ Sabir Son of Md. Hadish Resident of Village-Lakshminiya, Ward No.-13, Police Station-Balua Bazar, District-Supaul.
4. Md. Nijam Miyan Son of Mehndi Resident of Village-Lakshminiya, Ward No.-13, Police Station-Balua Bazar, District-Supaul.
5. Md. Faruk Son of Mohammad Resident of Village-Lakshminiya, Ward No.-13, Police Station-Balua Bazar, District-Supaul.
6. Piro Miya @ Pir Mohammad Son of Rajit Miyan Resident of Village-Lakshminiya, Ward No.-13, Police Station-Balua Bazar, District-Supaul.
7. Shahid @ Md. Shahid Son of Takdir Resident of Village-Lakshminiya, Ward No.-13, Police Station-Balua Bazar, District-Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Goutam, Adv.
For the Opposite Party/s : Ms.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 02-01-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners apprehend their arrest in connection with
Balua Bazar P.S. Case No.08 of 2021 registered under Section
307 of the Indian Penal Code and other allied sections of the
I.P.C.

Learned counsel for the petitioners submits that the

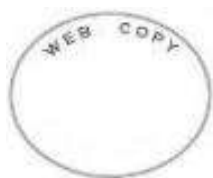


petitioners are innocent and there is general and omnibus allegation against them. He further submits that the injuries sustained by the injured are found to be simple in nature. The petitioners have got no criminal antecedent.

Learned A.P.P. for the State vehemently opposed the prayer for bail stating that there is specific allegation against petitioner no.1 Rabina Khatoon @ Jamina Khatoon and petitioner no.2 Md.Jibrail that they have assaulted the informant and her son with iron rod as a result of which the informant sustained injury on her temporal area and her son Md.Jasrul sustained altogether three injuries on his person. Therefore, they do not deserve anticipatory bail.

Having considered the above facts and circumstances of the case and the submissions advanced on behalf of the parties, let the above named petitioner nos.3, 4, 5, 6 and 7 be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bonds to the satisfaction of Judicial Magistrate 1st Class, Supaul in connection with Balua Bazar P.S.Case No.08 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

So far petitioner no.1 (Rabina Khatoon @ Jamina



Khatoon) and petitioner no.2 (Md. Jibrail) are concerned, considering the nature of allegations made against them, this Court is not inclined to grant them anticipatory bail. Accordingly, their prayer for bail is rejected.

(Arvind Srivastava, J)

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