

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38745 of 2023

Arising Out of PS. Case No.-521 Year-2019 Thana- ARARIA District- Araria

1. MD. KASIM @ HAFIZ KASHIM SON OF LATE MD. ZAKIR BISHANPUR BAZAR, W. NO. 2, P.S. KUMARKHAND, DISTRICT- MADHEPURA
2. BIBI SAHINA PARVEEN @ BIBI SHAHINA WIFE OF MD. HAFIZ KASIM BISHANPUR BAZAR, W. NO. 2, P.S. KUMARKHAND, DISTRICT- MADHEPURA
3. MD. DANISH @ MOHD. DANISH SON OF MD. HAFIZ KASIM BISHANPUR BAZAR, W. NO. 2, P.S. KUMARKHAND, DISTRICT- MADHEPURA
4. KASIM @ KASHIF SON OF MD. HAFIZ KASIM BISHANPUR BAZAR, W. NO. 2, P.S. KUMARKHAND, DISTRICT- MADHEPURA
5. ROSHAN @ RASHAN PRAVEEN DAUGHTER OF MD. HAFIZ KASIM BISHANPUR BAZAR, W. NO. 2, P.S. KUMARKHAND, DISTRICT- MADHEPURA
6. SHAISTA PRAVEEN @ SHAISTA DAUGHTER OF MD. HAFIZ KASIM BISHANPUR BAZAR, W. NO. 2, P.S. KUMARKHAND, DISTRICT- MADHEPURA
7. MD. TAUQIR @ TOUQUEER ALAM SON OF MD. KALAL BISHANPUR BAZAR, W. NO. 2, P.S. KUMARKHAND, DISTRICT- MADHEPURA
8. QUAMRUZZAMA @ MD. QUAMRUZZAMA SON OF MD. MASSI @ SHEKH MASUHUDIN RESIDENT OF VILLAGE- MOHANPUR, KATAHRA, PS- CHHATAPUR, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Nafisuzzoha
For the Opposite Party/s :	Mr.Binod Kumar
	Mr. Zeaul Hoda

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-09-2023 Heard learned counsel for the parties.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 307, 324,



354B, 379 and some other ancillary Sections of the Indian Penal Code.

3. As per the prosecution case, while the informant was coming to Araria court with her uncle on motor cycle, these petitioners along with other accused persons coming on Scorpio dashed the motor cycle of informant's uncle due to which the informant and her uncle fell down. Thereafter, the accused persons got down from the Scorpio and assaulted the informant. It is further alleged that co-accused, Faisal Anjum, gave Dabia blow on the head of informant as a result of which she sustained injury on her head and thereafter all the accused persons assaulted the informant with fists and slaps and torn her clothes. The accused persons tied rope in the neck of informant's uncle and started dragging and assaulting her.

4. Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that specific accusation of assault is against co-accused, Faisal Anjum, husband of informant. Allegation against these petitioners are general and omnibus and they have been made accused in this case only because they are relatives of husband of informant. The injuries are reported to be simple in nature. Petitioners have



got clean antecedent.

5. Learned counsel appearing for the State and the informant opposed the prayer for anticipatory bail.

6. Considering the facts of the case and nature of accusation against the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria in connection with Araria PS case No. 521/ 2019, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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