

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42031 of 2023

Arising Out of PS. Case No.-327 Year-2020 Thana- FORBESGANJ District- Araria

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HAKIMAN @ HATIMAN Wife of Late Md. Sarfuddin Resident of village -
Baghmara, ward no. 04, p.S. - Forbesganj, Distt. - Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Rajiv RAnjan

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-08-2023 No one appears on call.

The petitioner apprehends his arrest in connection with Forbesganj P.S. Case No. 327 of 2020 for the offence punishable under Sections 447, 448, 147, 148, 149, 341, 323, 325, 307, 379, 504 of the I.P.C lodged on 01.05.2020 by the informant Md. Shakir.

As per the prosecution story, the allegation is that he accused person on the order of the Md. Israil assaulted the informant side and also looted ornaments and cash. Accordingly the FIR.

Learned APP opposes the prayer.

On going through the petition, it appears that the petitioner is a lady, 75 years old, has no criminal antecedent



and there is inordinate delay of 12 days in lodging the FIR *inasmuch* as the occurrence took place on 19.04.2020 and the FIR was lodged on 01.05.2020, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner, in the event of his arrest or surrender within a period of four weeks from the date of the receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of C.J.M., Araria in connection with Forbesganj P.S. Case No. 327 of 2020, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner 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;



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

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

(Rajiv Roy, J)

Jagdish/Jyoti/-

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