

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51864 of 2022

Arising Out of PS. Case No.-88 Year-2022 Thana- DIGHALBANK District- Kishanganj

1. SAKIR @ SAKIR ALAM S/o Late Paltu Resident of Rangapani, Dahibhat, P.S.- Dighalbank, District- Kishanganj.
2. Rubeda @ Rubeda Khatoon W/o Sakir @ Sakir Alam Resident of Rangapani, Dahibhat, P.S.- Dighalbank, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 23-01-2023 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Dighalbank P.S. Case No. 88 of 2022, registered for the offences punishable under Sections 447, 341, 323, 307, 379, 384, 504, 506/34 of the Indian Penal Code.

The specific allegation against petitioner no. 1 (Sakir @ Sakir @ Sakir Alam) is that he assaulted the brother of the informant with *basula* on his head and petitioner no. 2 (Rebuda



@ Rubeda Khatoon) assaulted the informant with *dabiya* on his head.

The learned counsel for the petitioners has submitted that they are innocent and have falsely been implicated in this case. There is case and counter case and both the parties have sustained injuries.

On the other hand, the learned counsel for the informant has submitted that the injuries suffered by the injured persons are on vital part and the injuries on the head of the brother of informant was found to be grievous in nature.

There is specific allegation against petitioner no. 1 that he assaulted the brother of the informant, who sustained grievous injuries.

Accordingly, anticipatory bail prayer in respect of petitioner no. 1 is hereby **rejected**.

So far as petitioner no. 2 is concerned, the allegation against her is to assault the informant, who sustained simple injuries.

Considering the above-mentioned facts and circumstances, **let the petitioner no. 2**, in the event of her arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Dighalbank P.S. Case No. 88 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

If petitioner no. 1 surrender before the court below and make a prayer for regular bail, that shall be disposed of on its own merit, without being prejudiced by this order.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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