

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52584 of 2022

Arising Out of PS. Case No.-106 Year-2021 Thana- MANIHARI District- Katihar

1. MONI KHATOON, D/o SK. Manna Resident of Kumaripur Mir Tola, Ward No. 05, P.S.- Manihari, District- Katihar
2. Tamanna Khatoon, D/o Sk. Mannan Resident of Kumaripur Mir Tola, Ward No. 05, P.S.- Manihari, District- Katihar
3. Naima Khatoon @ Naima, W/o Sk. Mannan Resident of Kumaripur Mir Tola, Ward No. 05, P.S.- Manihari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 16-01-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Manihari P.S. Case No. 106 of 2021 registered for the offences punishable under Sections 341, 323, 308, 379, 504 and 506 read with Section 34 of the Indian Penal Code.

As per the prosecution case, the petitioners and



other co-accused persons armed with deadly weapons, surrounded the informant and assaulted him. During the occurrence, the co-accused Sheikh Mannan assaulted the informant with *lathi* and the co-accused Sheikh Tallu assaulted the informant's son with iron rod causing injury on his head, and when he fell down, the co-accused persons Sonu and Monu assaulted him with lathi. When the other son of the informant came to rescue, co-accused Shiekh Hannan assaulted him with *lathi* and the co-accused Julfikar took away Rs. 1,50,000/- from the shop of the son of the informant.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case due to previous land dispute. No overt act has been alleged against the petitioners. He has further submitted that there is general and omnibus allegation against the petitioners. The petitioners have got clean antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners and submitting that the injury of injured Sahil is grievous in nature.

Considering the aforesaid facts and circumstances



of the case as well as the fact that the petitioners are ladies, let the above named petitioners, in the event of their arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bonds of Rs. 20,000/-(Twenty Thousand)each with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Manihari P.S. Case No. 106 of 2021, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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