

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63936 of 2023

Arising Out of PS. Case No.-120 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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1. Hazara Khatoon W/O Md. Chhedhi R/O Village- Katho Tolwa, Ward No. 10, Ps. Bakhtiyarpur, O.P. Belwahat, Dist. Saharsa
 2. Begum Khatoon W/O Md. Saddam R/O Village- Katho Tolwa, Ward No. 10, Ps. Bakhtiyarpur, O.P. Belwahat, Dist. Saharsa
 3. Matni Khatoon @ Sabbo Khatoon W/O Md. Qaum R/O Village- Katho Tolwa, Ward No. 10, Ps. Bakhtiyarpur, O.P. Belwahat, Dist. Saharsa
 4. Sakina Khatoon W/O Md. Alim @ Md. Alim R/O Village- Katho Tolwa, Ward No. 10, Ps. Bakhtiyarpur, O.P. Belwahat, Dist. Saharsa
 5. Apsana Khatoon W/O Md. Atabul R/O Village- Katho Tolwa, Ward No. 10, Ps. Bakhtiyarpur, O.P. Belwahat, Dist. Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh, Adv.
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioners and the
learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Simri Bakhtiyarpur (Balwahat OP) PS Case No.120 of 2023, dated 18-03-2023 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 379, 307,302,504 and 506 of the Indian Penal Code.

3. There is allegation of indiscriminate assault by all 14 accused persons. The same is preceded by a quarrel between



the children of the two parties.

4. It is submitted by the petitioners' counsel that over a trivial issue, the fist fight took place, wherein, the informant's uncle sustained injuries, leading to his death. The petitioners, female members of the family, have all been arraigned as accused persons on extraneous considerations, though specific assault is alleged against co-accused, namely, Md. Aalim, Md. Saddam, Md. Atabul and Md. Chhedi. The petitioners also have no criminal antecedents.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, nature of allegations arising out of trivial dispute, petitioners being females, having no criminal antecedents and no specific assault attributed against them, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for anticipatory bail is allowed.

7. Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, 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 the



learned CJM Saharsa, in connection with Simri Bakhtiyarpur (Balwahat OP) PS Case No.120 of 2023, dated 18-03-2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure with following conditions:

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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