

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63144 of 2023

Arising Out of PS. Case No.-128 Year-2022 Thana- SAHODARA District- West Champaran

1. Jarina Khatoon Wife Of Mukaddar Nutt R/O Vill - Gaunaha, P.S. - Sahodara, Distt. - West Champaran
2. Anjum Arha Khatoon Wife Of Malik Mian R/O Vill - Gaunaha, P.S. - Sahodara, Distt. - West Champaran
3. Afajal Nutt Son Of Murtuja Nutt R/O Vill - Gaunaha, P.S. - Sahodara, Distt. - West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioners and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioners apprehend their arrest in
connection with Sahodara P.S.Case No. 128 of 2022
instituted under Sections 341, 323, 324, 307, 379, 354B,
504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, when the
informant was going to Bazar, co-accused Harun Nutt
caught her in his arms and assaulted with Hasua on her
head. When informant's brother came to save her, all the



FIR named accused persons including the petitioners assaulted the informant and her brothers causing head injury.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. It is further submitted that informant and petitioners are co-villagers and there is land dispute between the parties. The FIR has been registered after five days of delay without giving any specific reason. The injuries sustained by the injured are simple in nature except one injury on the hand of Malik Ansari which is grievous in nature but not in the vital part of the body. There is general and omnibus allegation against the petitioners and petitioner nos. 1 and 2 are ladies. The petitioners have clean antecedent.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of their arrest or surrender before the Court below within six weeks from today, the petitioners be



released on bail upon furnishing bail bonds of Rs, 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Sahodara P.S.Case No. 128 of 2022 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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