

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72975 of 2022**

Arising Out of PS. Case No.-7 Year-2020 Thana- BALIA BELON District- Katihar

1. Md. Ajmat Hussain @ Ajmat Hassain @ Md. Ajmat S/O Md. Aslam R/O Imadpur Tola Mirjapur, P.S Balia, Belon, District- Katihar
2. Md. Noor Alam @ Md. Nur Alam @ NOOR ALAM S/O Late Mahboob Alam R/O Badhwa, P.S- Balia- Belon, District- Katihar
3. Zinat Ara @ Zinat Khatoon W/O Md. Azmat Hussain @ Ajmat Hassain R/O Imadpur Tola Mirjapur, P.S Balia, Belon, District- Katihar

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

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|--------------------------|---|----------------------------|
| For the Petitioner/s     | : | Ms. Sweta Raj, Advocate    |
| For the Opposite Party/s | : | Mr. Akhileshwar Dayal, APP |

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      29-04-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

Petitioners in the present case are seeking pre-arrest bail in connection with Balia Belon P.S. Case No. 07 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 379, 504, 354, 448, 307 of the Indian Penal Code. Petitioners have no criminal antecedent.

As per the prosecution story, the petitioners entered the house of the informant and started abusing her wife. When the informant asked them to stop abusing, all the accused persons started assaulting his wife. It is alleged that Md. Ajmat Hussain (petitioner no. 1) caught hold of his wife and ordered



other accused persons to kill her. Thereafter, Md. Noor Alam (petitioner no. 2) had given a farsa blow on her head and when the informant went to save his wife, Md. Noor Alam gave farsa blow on his left hand. It is also alleged that Zinat Ara (petitioner no. 3) assaulted daughter of the informant with lathi which caused serious head injury. Md. Noor Alam also gave lathi blow on the head of the son of the informant. Md. Ajmat Hussain took away gold chain worth Rs.40,000/- from the wife of the petitioner and Rs.12,000/- from the pocket of the informant and Md. Zinat Ara took away Silver chain worth Rs.10,000/- from the daughter of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that there is case and counter case between the parties and the parties have entered into a compromise. It is also submitted that the injuries are simple in nature.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case, considering that there is a case and counter case between the parties, the injury of the informant is simple in nature, the



informant and petitioner no. 1 are uncle and nephew and they are said to have entered into a compromise, this Court directs that the petitioners above-named in the event of their arrest or surrender within a period of four weeks from today shall be released on bail in connection with Balia Belon P.S. Case No. 07 of 2020 on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

**(Rajeev Ranjan Prasad, J)**

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