

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1160 of 2023

Arising Out of PS. Case No.-97 Year-2022 Thana- BALRAMPUR District- Katihar

1. Ansari Khatoon Wife Of Late Md. Tauhid Resident Of Village - Baluganj, P.S.- Balrampur (Telta O.P.), District - Katihar.
2. Sabukta Khatoon Wife Of Md. Masoom Resident Of Village - Dhapi, P.S.- Balrampur (Telta O.P.), District - Katihar.
3. Roshani Khatoon Wife Of Md. Azad Resident Of Village - Chandani Chowk, P.S.- Balrampur (Telta O.P.), District - Katihar.
4. Mausama Khatoon Daughter Of Late Md. Tauhid Resident Of Village - Baluganj, P.S.- Balrampur (Telta O.P.), District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mazher Alam

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-03-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

As per prosecution case, the petitioners along with accused persons named in the FIR, armed with deadly weapons, entered into the courtyard of the informant and assaulted her as well as her husband by their respective arms. It is further alleged that petitioner no.2 assaulted Naziya Khatoon on her head by



sharp cutting weapon and petitioner no.3 Roshni Khatoon assaulted the husband of the informant on his head by sharp cut weapon.

Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is specific allegation against petitioner no.2. Petitioners have got no criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case, let the above named petitioners no. 1, 3 and 4, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Balrampur (Telta O.P.) P.S. Case No.97 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



Considering the facts and circumstances of case and the fact that there is specific allegation against petitioner no.2, I am not inclined to enlarge petitioner no.2 on anticipatory bail.

The prayer for anticipatory bail of the petitioner no.2 is hereby rejected.

(Anjani Kumar Sharan, J)

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