

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5576 of 2024

Arising Out of PS. Case No.-18 Year-2022 Thana- INDUSTRIAL District- Bhagalpur

1. Bibi Nanhi @ Nikhat Praveen @ Nashar Parveen @ Nusahat Prveen W/O Md. Salauddin R/O- Village- Chauka Fatehpur, P.S.- Industrial Area, Dist.- Bhagalpur.
2. Jimmy @ Kakansha Praveen @ Kahkashan Parveen D/O- Md. Salauddin R/O- Village- Chauka Fatehpur, P.S.- Industrial Area, Dist- Bhagalpur.
3. Simmy @ Nushrat Praveen @ Nusrat Parveen D/O- Md. Salauddin R/O- Village- Chauka Fatehpur, P.S.- Industrial Area, Dist- Bhagalpur.
4. Md. Akib @ Md. Saif S/O- Md. Salauddin R/O- Village- Chauka Fatehpur, P.S.- Industrial Area, Dist- Bhagalpur.
5. Md. Kaif @ Kaifi S/O- Md. Salauddin R/O- Village- Chauka Fatehpur, P.S.- Industrial Area, Dist- Bhagalpur.

... .. Petitioners

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Md. Najmul Hodda, Advocate

For the Opposite Party : Mr.Madhura Nand Jha, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 379/354/34 and other ancillary sections of the Indian Penal Code.

3. As per the prosecution case, all the FIR named accused persons including these petitioners assaulted the informant and her sister. They also took away ornaments from her house.

4. It is submitted on behalf of the petitioners that as a matter of fact dispute arose over discharging of water on the



private land of the petitioners in which simple marpit took place between the parties. Doctor has found simple injury. Allegation of assault is general and omnibus and no specific overt act has been alleged against these petitioners. F.I.R. has been lodged after inordinate delay of twelve days without any explanation which renders the entire prosecution case doubtful. Petitioners claim clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged 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 Judicial Magistrate 1st class, Bhagalpur in Industrial Area Police Station Case No. 18 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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