

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9880 of 2024

Arising Out of PS. Case No.-100 Year-2023 Thana- ABADPUR District- Katihar

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1. Sahana W/o Alam R/o Village - Barakhor, P.S. - Abadpur, District - Katihar
 2. Jamaluddin S/o Late Mohsin R/o Village - Barakhor, P.S. - Abadpur, District - Katihar
 3. Md. Raju S/o Jamaluddin R/o Village - Barakhor, P.S. - Abadpur, District - Katihar
 4. Bano Khatoon W/o Jamaluddin R/o Village - Barakhor, P.S. - Abadpur, District - Katihar
 5. Aashrefa Khatoon W/o Md. Raju R/o Village - Barakhor, P.S. - Abadpur, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-02-2024 Learned counsel for the petitioners seeks permission to withdraw the application so far as petitioner No. 2 is concerned with liberty to surrender him before the learned Court below.

2. The application so far as petitioner No. 2 is concerned, is dismissed as withdrawn with direction to surrender before the learned Court below within a period of six weeks from the date of receipt/production of a copy of this order and the learned Court below shall consider the prayer for regular bail of the petitioner without being prejudiced of the order of



this Court.

4. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

5. The petitioners are apprehending their arrest in connection with Abadpur P.S. Case No. 100 of 2023 for the offence punishable 307, 323, 324, 341, 447, 379, 427, 504, 506 and 34 of the Indian Penal Code.

6. As per the prosecution case, on 03.07.23 the petitioners along with other persons came to informant's field with deadly weapons and started assaulting him. On protest they damaged his jute crop. The petitioner Jamaluddin assaulted the informant's brother Md. Belal with iron rod, due to which he fell down. Md. Raju assaulted his sister in-law, Noor Shahin and outraged her modesty. The petitioner Sahana and Shahansah assaulted his elder brother, Md. Shamim on his head with bamboo ticks. They threatened them to kill. The injured were taken to Barsoi Hospital for treatment.

7. Learned counsel for the petitioner has submitted that the petitioners are quite innocent and have not committed any offence and falsely been implicated in this case. It has been further submitted that the petitioners have no criminal antecedent. It has further been submitted that there was other



cases pending between the parties. It also appears that all the sections levelled against the petitioners are false and fabricated. It has further been submitted that the petitioners are local men and there is no chance of their absconding, if they be enlarged on bail.

8. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

9. Considering the aforesaid facts and circumstances of the case as well as the material available on record, let the above named petitioner Nos. 1, 3, 4 and 5, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on each of them furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Katihar in connection with Abadpur P.S. Case No. 100 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

10. The application stands disposed of.

(Chandra Prakash Singh, J)

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