

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15446 of 2024

Arising Out of PS. Case No.-254 Year-2023 Thana- BALIYA District- Begusarai

1. Anwari Khatoon Wife of Md. Shamshul, Resident of Village - Chhoti Balia, Saidanchak, Ward No.7, P.S.- Balia, Dist- Begusarai.
2. Asma Khatoon Wife of Late Md. Wakil, Resident of Village - Chhoti Balia, Saidanchak, Ward No.7, P.S.- Balia, Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Balia P.S. Case No.254 of 2023 instituted under Sections 147, 341, 323, 324, 504, 307, 379 & 506 of the Indian Penal Code and Section 3/4 of Daain Act.

3. As per the prosecution case, all the accused persons including the petitioners armed with *lathi*, *danda* and rod came at the door of the informant and assaulted his mother. When he went to rescue his mother then Md. Shamshul assaulted him with iron rod and Md. Saddam assaulted him with *lathi*. It is further alleged that a gold chain of Rs.50,000/-, 1/2 bhar gold



bangle of Rs.25,000/-, Jewellery of Rs.50,000/- and Rs.20,000/- cash were looted by the accused persons.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He further submits that both the parties are agnates and due to family dispute scuffle took place between both the parties for which there is case and counter case. He also submits that there is delay of 3 days in filing the F.I.R. without any plausible reason. Learned counsel submits that as per the injury report of the informant and his mother, the injuries are simple in nature. He further submits that petitioners are women having no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of 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/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned C.J.M., Begusarai in connection with Balia P.S. Case No.254 of 2023, 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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