

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20438 of 2024

Arising Out of PS. Case No.-169 Year-2023 Thana- ABADPUR District- Katihar

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1. Hasifur Son of Safikul Resident of vill.-Sohar, P.S.-Abadpur, Distt.-Katihar
 2. Manjura Khatoon Wife of Safikul Resident of vill.-Sohar, P.S.-Abadpur, Distt.-Katihar
 3. Rabi Son of Safikul Resident of vill.-Sohar, P.S.-Abadpur, Distt.-Katihar
 4. Afsari Wife of Hasifur Resident of vill.-Sohar, P.S.-Abadpur, Distt.-Katihar
 5. Ahmadi Wife of Shamim Resident of vill.-Sohar, P.S.-Abadpur, Distt.-Katihar
 6. Hasiur Son of Safikul Resident of vill.-Sohar, P.S.-Abadpur, Distt.-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Musowir, Adv.
For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-04-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Abadpur P.S. Case No. 169 of 2023 for the offences under sections 341, 323, 324, 406, 420, 379, 504, 506 and 34 of the I.P.C. lodged on 05.11.2023 by the informant, Majeda Khatoon.

3. As per the prosecution story, the allegation made is that one Safikul took Rs.2,23,000/- and assured to register a piece of land but as he chose to look the other way upon asking him to do so, entire family members assaulted. The allegation

against Safikul is of assaulting on the head causing injury, while allegation against these petitioners is of outraging the modesty of the informant's sister and also snatching of a silver chain.

4. Learned counsel for the petitioner submits that main allegation of taking of Rs.2,23,000/- is against Safikul and also assault on the head of the informant. So far as these petitioners are concerned, only to implicate them, a narrative has been set.

5. Learned APP opposes the prayer, stating that the entire family members has assaulted the informant and his family members.

6. Taking into account the submissions of the learned counsel for the petitioners and the State the main allegation is against Safikul both of assault and also of taking Rs.2,23,000/-. These petitioners which included the lady, FIR lodged will be ultimately facing the trial and they do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the

satisfaction of learned A.CJ.M.-VI, Katihar in connection with Abadpur P.S. Case No. 169 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of heir bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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