

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43698 of 2024

Arising Out of PS. Case No.-37 Year-2024 Thana- MATIHANI District- Begusarai

1.

Md. Gayas Son of Late Md. Nasim R/O Vill.- Lalpur, P.S.- Matihani, Dist.- Begusarai
2.

Sama Pravin Wife of Md. Tanvir R/O Vill.- Lalpur, P.S.- Matihani, Dist.- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh
For the Opposite Party/s : Ms. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2

13-08-2024

1.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

2.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 323, 428, 504, 506 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

3.

Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of four cases and petitioner no. 2 has antecedent of one case and is a woman.

4.

The informant alleges that named accused persons including the petitioners came and asked the informant to withdraw the case, on which informant objected, thereafter on



orders of petitioner no. 2, accused Tanvir fired which hit her goat and the goat died.

5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that husband of the informant is son of petitioner no. 1 and petitioner no. 2 is sister-in-law (*gotni*) of the informant. It is further submitted that all sections are bailable except the arms act which is not attracted against the petitioners as allegation of firing is against Tanvir. It is next submitted that the instant case came to be instituted at the behest of the husband of the informant who is having dispute relating to property with petitioner no. 1. It is next submitted that petitioners will not abscond rather will co-operate in the investigation.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Matihani P.S. Case No. 37 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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