

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65185 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- PAHARKATTA District- Kishanganj

1. Mohermin @ Mormin Daughter of Gheghru, Wife of Late Ainul Resident of Mohghar Ward No.04 P.S.- Paharkatt, District- Kishanganj
2. Minakshi Begum @ Minakshi Wife of Majid Resident of Mohghar Ward No.04 P.S.- Paharkatt, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-10-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Paharkatta Police Station Case No. 32 of 2024, dated 26.03.2024, disclosing offences under Sections 447/341/323/324/307/354/354-B/379/384/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioners, along with other co-accused persons, cut the bamboo trees standing over the land of the informant and on protest, co-accused Majid demanded Rs. 3,00,000/- from the informant and co-accused



Naushad assaulted him by means of sword on his head, due to which he sustained injury and when the informant's aunt intervened, the accused persons snatched Rs. 7,500/-, silver chain, assaulted her by fists and slaps and also outraged her modesty.

4. Learned Counsel for the petitioners submits that the petitioners, who are ladies, are innocent and have falsely been implicated in this case due to land dispute between the parties. He further submits that both the parties are co-sharers. He further submits that the petitioners were given the benefit of Section 41-A of the Code of Criminal Procedure, 1973 and the petitioners have co-operated the police in the investigation of this case. He further submits that there is general and omnibus allegation against the petitioners and the specific allegation of assault by means of sword on the head of the informant is upon co-accused Naushad.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are co-sharers, there is land dispute between them and the allegation against the petitioners, who are ladies, is general and omnibus in nature, I am



inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Paharkatta Police Station Case No. 32 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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