

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66643 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- GOBARHIA District- West Champaran

1. Lalu Miya S/o- Serabul Miya Resident of village- Pipara Belatari Don PS- Gobarahiya, Dist- West Champaran
2. Azan Miya @ Azaz Miya @ Azaz Ahmad Son of Lalu Miya Resident of village- Pipara Belatari Don PS- Gobarahiya, Dist- West Champaran
3. Mobarak Miya Son of Lalu Miya Resident of village- Pipara Belatari Don PS- Gobarahiya, Dist- West Champaran
4. Neyaz Miya Son of Lalu Miya Resident of village- Pipara Belatari Don PS- Gobarahiya, Dist- West Champaran
5. Sahzana Khatoon W/o- Lalu Miya Resident of village- Pipara Belatari Don PS- Gobarahiya, Dist- West Champaran
6. Nazama Khatoon W/o- Neyaz Miya Resident of village- Pipara Belatari Don PS- Gobarahiya, Dist- West Champaran
7. Ambari Khatoon W/o- Azaz Miya @ Azan Miya @ Azaz Ahmad Resident of village- Pipara Belatari Don PS- Gobarahiya, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Advocate
For the Opposite Party/s : Mr. Arvind Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 324, 308, 379, 406, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, informant sold jackfruit to petitioner No. 1 for Rs. 1,500/- to which petitioner No. 1 gave



Rs. 500/- and assured to pay the remaining amount after few days. On 13.06.2024, when informant asked for the money, these petitioners abused and assaulted informant and his family members and looted cash of Rs. 20,000/- and other household articles.

4. Learned counsel for the petitioners submits that from bare perusal of F.I.R., it is apparent that there was monetary dispute between the parties for which quarrel took place in which both sides sustained injuries. Case and counter case. Allegation of assault is general and omnibus. Rest of the allegations are ornamental, to make the case grave. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, Bagaha, West Champaran in connection with



Gabarahiya P. S. Case No. 11 of 2024, subject to condition as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Singh, J)

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