

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77263 of 2023

Arising Out of PS. Case No.-138 Year-2022 Thana- SHRI NAGAR District- Madhepura

Jabrun Khatoon Wife Of Md. Ibramool Shekh R/O Village- Laxmipur,
Bhagwati, Ward No.10, P.S.- Srinagar, District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Srinagar P.S. Case No. 138 of 2022 dated 02.12.2022 registered for the offences punishable u/ss 448, 341, 323, 307, 354A, 427, 504, 506 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have entered the house of the informant and started throwing the house-hold things. When the informant forbade them then the petitioner slammed the informant on the ground. Thereafter, the co-accused Md. Sahrul assaulted the informant with rod indiscriminately causing head



injury. The petitioner and the co-accused persons also tore the cloth of the informant and snatched silver chain and bala. It is further alleged that the accused persons committed *lootpat* and broke the mobile of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is land dispute between the parties. The specific allegation of assaulting the informant is against the co-accused person. Nothing has been recovered from the possession of the petitioner. The allegation against the petitioner of snatching the things is ornamental. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Madhepura in



connection with Srinagar P.S. Case No. 138 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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