

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83008 of 2023

Arising Out of PS. Case No.-228 Year-2023 Thana- PALASI District- Araria

1. Ansari @ Bibi Ansari Khatoon Wife Of Ayas R/O Village- Kakorwa Panchayat Dehti, South Ward No. 05, P.S.- Palasi, Dist.- Purnea
2. Ashiya Wife Of Imam R/O Village- Kakorwa Panchayat Dehti, South Ward No. 05, P.S.- Palasi, Dist.- Purnea
3. Begam @ Begum Wife Of Md. Jawadul R/O Village- Kakorwa Panchayat Dehti, South Ward No. 05, P.S.- Palasi, Dist.- Purnea
4. Sima Khatoon @ Sima Praveen @ Mala Khatoon @ Sima Prave Wife Of Imtiyaz @ Imtiyaz Alam R/O Village- Kakorwa Panchayat Dehti, South Ward No. 05, P.S.- Palasi, Dist.- Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Learned counsel for the petitioners seeks permission to withdraw this application on behalf of petitioner no. 1.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn on behalf of petitioner no. 1.

5. Now this application survives for petitioner nos. 2 to 4.

6. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 448, 427, 354(B), 379, 504 and 506 of



the Indian Penal Code.

7. As per the F.I.R., allegation against the petitioners is that they along with F.I.R. named persons armed with deadly weapons have entered into the court yard of the informant and assaulted the informant and his family members. It is further alleged that they have looted the house of the informant.

8. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence as alleged. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. On perusal of F.I.R., it transpires that there is no specific allegation of assaulting against the petitioner nos. 2 to 4 whereas the allegation against the petitioner no. 1 is that she has broken the finger of Sabera Khatoun. Petitioners nos. have no criminal antecedent as mentioned in para-3 of this application.

9. Learned APP for the State opposed the prayer for bail.

10. Having regard to the facts and circumstances of the case, considering the fact that there is no specific overt act against the petitioners and injury is found simple in nature, let



the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Palasi P.S. Case No.228 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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