

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85476 of 2023

Arising Out of PS. Case No.-182 Year-2023 Thana- POTHIA District- Kishanganj

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1. MD. BILAL @ BILAL SON OF ABDUL BAHAB R/O VILLAGE-KUSIYARI, P.S.- POTHIA, DIST.- KISHANGANJ
 2. NAJRA @ NAJRA BEGUM WIFE OF MD. BILAL @ BILAL R/O VILLAGE- KUSIYARI, P.S.- POTHIA, DIST.- KISHANGANJ

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-01-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Pothia P.S. Case No. 182 of 2023 for the offence under sections 341, 324, 326, 307, 354, 379, 506 of the I.P.C. lodged on 16.08.2023 by the informant, Asmat Ara.

3. As per the prosecution story, the informant has alleged that due to land dispute, the accused persons came and tried to burn the house of the informant. As she tried to come out, her modesty was also outraged and further, she was assaulted. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that there was earlier a case against the informant side after which



this case has been lodged.

5. Learned APP, on the other hand, submits that the FIR was lodged by the accused side in the May, 2023 and the present allegation is of August, 2023.

6. Taking into account the kind of allegation that has come against the accused persons, so far as petitioner no. 1, Md. Bilal is concerned, he is better advised to surrender and move before the appropriate Court for grant of bail, his anticipatory bail is rejected.

7. Regarding petitioner no. 2 , Najra @ Najra Begum, in view of the fact that she is a lady, has been named in the FIR, will be facing the trial, this Court is inclined to extend her the privilege of anticipatory bail with conditions.

8. Let the petitioner no. 2 be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Pothia P.S. Case No. 182 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

(Rajiv Roy, J)

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