

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80497 of 2023

Arising Out of PS. Case No.-111 Year-2023 Thana- DIGHALBANK District- Kishanganj

1. MD.SAMSUL @ SAMSUL HAQUE @ SHAMSUL HAQUE S/O MD. KUDDUS @ ABDUL KUDUS VILLAGE- BHIRBHIRI, WARD NO. 15, PS. DIGHALBANK, DIST. KISHANGANJ
2. TAJEMUL @ TAJEMUL HAQUE @ TAJAMUL HAQUE S/O MD. KUDDUS @ ABUL KUDUS VILLAGE- BHIRBHIRI, WARD NO. 15, PS. DIGHALBANK, DIST. KISHANGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mrs. Asha Devi, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Dighalbank P.S. Case No. 111 of 2023, registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

3. As per the First Information Report, the informant was married with one Mehnaz Khatoon two months ago according to the Muslim rite and custom. All the accused of in-laws family started pressurizing her daughter to divorce her husband i.e., informant but wife of the informant was not willing to divorce the informant. On 10.07.2023, informant and his family members had gone to the village to attend the



wedding party, his wife was at home but when he came back after party, he did not find his wife at home. The informant went to his in-laws house to enquire about his wife, he found her there. Upon seeing the informant, the in-laws became furious and started abusing and beating him. The petitioner's Brother-in-laws' along with other accused persons assaulted the informant with the iron rod, axe etc., due to which he sustained injury and became unconscious.

4. Learned counsel for the petitioner's submits that petitioners have falsely been implicated in this case due to dispute between the informant and the sister of the petitioners who is married to the informant. The petitioners are the Brother-in-laws' of the informant. As alleged in the FIR, as per Dighalbank P.S. Case No. 111 of 2023 under Section 498A and other related sections against informant on 11.07.2023 and in retaliation of the same present FIR has been lodged against all the in-laws of the informant. No serious injuries has been caused.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the wife of the informant has lodged a case against him and the present case has been lodged on the same date against the petitioners



who happened to be brother-in-laws’ of the informant, I am inclined to grant the petitioners privilege of anticipatory bail.

6. Let the petitioners, Md.Samsul @ Samsul Haque @ Shamsul Haque and Tajemul @ Tajemul Haque @ Tajamul Haque in the event of their arrest or surrender within four weeks before the learned court below, be released 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 learned Chief Judicial Magistrate, Kishanganj in connection with Dighalbank P.S. Case No. 111 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Anil Kumar Sinha, J)

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