

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81216 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- BALIA BELON District- Katihar

-
1. Md. Mahangu, S/o- Md. Aainuddin, Resident of Village -Bijhara, P.S. - Balia- Belon, Dist. - Katihar
 2. Md. Saru @ Saru, S/o- Md. Satahi @ Sathia Alam, Resident of Village - Bijhara, P.S. - Balia- Belon, Dist. - Katihar
 3. Md. Baru @ Badruddin, S/o- Md. Satahi @ Sathia Alam, Resident of Village -Bijhara, P.S. - Balia- Belon, Dist. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Qumrul Hoda, Advocate
For the Opposite Party/s : Ms.Pushpa Sinha1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioners and Ms. Pushpa Sinha1, learned APP for the State.

2. Learned counsel for the petitioners seeks permission to withdraw this bail application in respect of petitioner no. 1, namely, Md. Mahangu.

3. Permission is accorded.

4. This application is dismissed as withdrawn in respect of petitioner no. 1.

5. The instant application for anticipatory bail has been filed by the petitioner nos. 2 and 3 apprehending their arrest in connection with Balia-Belon P.S. Case no. 33 of 2024



instituted for the offence under Sections 341, 323, 324, 307, 354, 379, 504 and 506/34 of the Indian Penal Code.

6. The case of the prosecution, in short, is that on 10.03.2024 all the accused persons named in the F.I.R. came to the informant Md. Arif having arms and assaulted him as well as his daughters and also outraged their modesty. It is further alleged that during occurrence petitioners Md. Mahngu and Md. Barru outraged the modesty of his daughters, thereafter, petitioner Md. Sarru and co-accused Md. Akhtar assaulted his daughters on their head by '*dabiya*', causing head injury.

7. Learned counsel for the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. There is no specific allegations against them rather all the allegations are general general and omnibus in nature. It is further submitted that there is case and counter case between the parties and both the parties have sustained injury. Petitioners are having no criminal antecedent. The other co-accused namely, Md. Satahi has already been granted anticipatory bail by this Court vide order dated 28.11.2024 passed in Cr. Misc. No. 79744 of 2024.

8. Learned APP appearing for the State opposed the prayer of bail of the petitioner nos.2 and 3.



9. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the **petitioner nos.2 and 3, namely, Md. Sarru @ Sarru and Md. Barru @ Badruddin** on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Balia-Belon P.S. Case no. 33 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Katihar, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

lata/-

U		T	
---	--	---	--

