

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82387 of 2023

Arising Out of PS. Case No.-56 Year-2023 Thana- BUDHUCHAK District- Bhagalpur

1. Nikhat Khatoon Wife of Md. Tahjib R/O Village- Kisandaspur, P.S.- Budhuchak, Dist.- Bhagalpur
2. Minsar Alam @ Md. Minsar Son Of Sheikh Sagiya @ Md. Sadique R/O Village- Kisandaspur, P.S.- Budhuchak, Dist.- Bhagalpur
3. Miran Khatoon Wife of Sheikh Sahgiya @ Md. Sadique R/O Village- Kisandaspur, P.S.- Budhuchak, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. In the present case, the petitioners are apprehending arrest in connection with Budhuchak P.S. Case No. 56 of 2023, registered on 08.07.2023 for the offences under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners assaulted the minor son of the informant after calling him from house and caused injury on his private parts.

4. The learned counsel for the petitioners submits



that the petitioners are innocent and have been falsely implicated in this case. The true fact of the case is that on 7th of July, 2023, the informant's son committed some wrongful act with the minor daughter of petitioner no.1, for which, a report was lodged before S.H.O. Mahila Police Station on 10th of July, 2023 and in order to save his skin from the said case, the informant has lodged the present case. The petitioners and the informant are family members and marriage of petitioner no.1 was solemnized with the nephew of the informant. It is further submitted that from the rejection order, it appears that injuries are stated to be simple in nature caused by hard and blunt substance. The petitioners are having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioners and informant are stated to be family members and there is previous disputes between the parties, let the petitioners above named, in the event of arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand Only) each with two



sureties of the like amount each to the satisfaction of learned SDJM, Bhagalpur/concerned court in connection with Budhuchak P.S. Case No. 56 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Amrendra/-

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