

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84957 of 2023

Arising Out of PS. Case No.-231 Year-2022 Thana- LAUKAHI District- Madhubani

1. MD. HANNAN, S/o MD. ALIBAKASH RESIDENT OF VILLAGE - KUSMAHI, P.S. - ANDHRAMATH, DISTRICT - MADHUBANI
2. MD. RIJWAN SON OF MD. ALIBAKASH RESIDENT OF VILLAGE - KUSMAHI, P.S. - ANDHRAMATH, DISTRICT - MADHUBANI
3. RAUSHAN KHATUN WIFE OF MD. MINHAJ RESIDENT OF VILLAGE - KUSMAHI, P.S. - ANDHRAMATH, DISTRICT - MADHUBANI
4. JAHURAN KHATUN WIFE OF MD. HANNAN RESIDENT OF VILLAGE - KUSMAHI, P.S. - ANDHRAMATH, DISTRICT - MADHUBANI
5. SATANI KHATUN WIFE OF MD. KHATAR RESIDENT OF VILLAGE - KUSMAHI, P.S. - ANDHRAMATH, DISTRICT - MADHUBANI
6. HALIMA KHATUN DAUGHTER OF MD. KHATAR RESIDENT OF VILLAGE - KUSMAHI, P.S. - ANDHRAMATH, DISTRICT - MADHUBANI
7. GULBASA KHATUN DAUGHTER OF MD. HANNAN RESIDENT OF VILLAGE - KUSMAHI, P.S. - ANDHRAMATH, DISTRICT - MADHUBANI
8. RUKSANA KHATUN WIFE OF MD. RIJWAN RESIDENT OF VILLAGE - KUSMAHI, P.S. - ANDHRAMATH, DISTRICT - MADHUBANI
9. FATMA KHATUN WIFE OF MD. JIBU RESIDENT OF VILLAGE - KUSMAHI, P.S. - ANDHRAMATH, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate.
For the Opposite Party/s : Mr. Khurshid Anwar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 07-03-2024 Heard Mr. Arvind Kumar, learned counsel appearing on behalf of the petitioners and Mr. Khurshid Anwar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection



with Laukahi P.S. Case No. 231 of 2022 registered for the offence punishable under Sections 341, 323, 307, 354B, 337, 325, 379, 504 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the petitioners along with other accused persons had assaulted the son of the informant who sustained fracture injury. Specific allegation is against co-accused Md. Khattar who had assaulted the informant by means of farsa on her head causing head injury. The allegation against petitioner no.1 Md. Hannan is that he had outraged the modesty of the informant by tearing her blouse and other accused persons are said to have snatched the ornaments of the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that specific allegation of assault is against co-accused Md. Khattar. General and omnibus allegation has been levelled against other co-accused who are petitioner nos. 2 to 9 while allegation against petitioner no.1 is that of outraging the modesty of the informant, but the same is ornamental and not substantiated by any evidence.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation being general



and omnibus allegation the petitioners, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-I, Jhanjharpur, Madhubani in connection with Laukahi P.S. Case No. 231 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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