

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76088 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- BAUNSI District- Araria

1. Maskul Haque @ Masful Haque Son of Abdul Rasid village- Farkiya, Tilkobari, Ward no. 01, Ps- Bausi, Dist- Araria
2. Md. Bahar son of Abdul Rasid village- Farkiya, Tilkobari, Ward no. 01, Ps- Bausi, Dist- Araria
3. Md. Shamshad @ Md. Shamshad Alam son of Arsad village- Farkiya, Tilkobari, Ward no. 01, Ps- Bausi, Dist- Araria
4. Md. Sawood @ Sawood Alam @ Md. Sahud son of Md. Arsad village- Farkiya, Tilkobari, Ward no. 01, Ps- Bausi, Dist- Araria
5. Abdullah @ Abdulla son of Noorshaid village- Farkiya, Tilkobari, Ward no. 01, Ps- Bausi, Dist- Araria
6. Bibi Sariful Wife of Abdul Rasid village- Farkiya, Tilkobari, Ward no. 01, Ps- Bausi, Dist- Araria
7. Meratun Khatoon @ Meratin Wife of Noor Shaid village- Farkiya, Tilkobari, Ward no. 01, Ps- Bausi, Dist- Araria
8. Rebeda Khatoon @ Rubeda Wife of Maskul Haque village- Farkiya, Tilkobari, Ward no. 01, Ps- Bausi, Dist- Araria
9. Suleha Khatoon @ Saleha Wife of Arsad village- Farkiya, Tilkobari, Ward no. 01, Ps- Bausi, Dist- Araria
10. Md. Shafitullah @ Shafatulla @ Md. Safitullah son of Noorsaid village- Farkiya, Tilkobari, Ward no. 01, Ps- Bausi, Dist- Araria
11. Noorjahan Wife of Md. Sajho village- Farkiya, Tilkobari, Ward no. 01, Ps- Bausi, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. P.K. Jha, Adv.
For the informant : Mr. Mukesh Kumar, Adv
For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH

ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioners, learned
counsel for the informant and learned Additional Public Prosecutor



for the State.

2. The petitioners are apprehending their arrest in a case in connection with Bausi P.S. Case No. 62 of 2024 dated 06.04.2024 registered for the offences punishable u/ss 147, 149, 341, 324, 325, 307, 354B, 379, 504 of the I.P.C later on Section 302 of the I.P.C was added.

3. As per the prosecution case, the petitioners and the co-accused person holding lathi, danda and iron rod entered the house of the informant and the co-accused, Md. Arsad inflicted blow of a *sharp hasua* on the head of the informant's brother with intent to kill. Thereafter, the accused persons also assaulted the father of the informant with iron rod causing severe injury. When the informant came to rescue his father then the co-accused, Md. Ismail assaulted the informant on his right hand and waist causing injury. They took away Rs. 2,00,000 and a mobile phone.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. There is no specific allegation against the petitioners rather the specific allegation of assaulting the informant's brother and the informant's father is against the co-accused, Md. Arsad and Md. Ismail. It is further submitted that



the petitioner nos. 6, 7, 8, 9 and 11 are Pardanasin ladies. Learned counsel has further submitted that the petitioners have no concern with the alleged offence. The co-accused persons have already been granted regular bail by this court vide order dated 12.09.2024 passed in Cr. Misc. No. 59097 of 2024. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the anticipatory bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Araria in connection with Baunsi P.S. Case No. 62 of 2024, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition :-

(i) The petitioners no. 1, 2, 3, 4, 5 and 10 are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without



reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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