

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43502 of 2015

Arising out of PS.Case No. -100 Year- 2015 Thana -KASBA District- PURNIA

1. Md. Hakim.
2. Md. Rakim @ Rakim. Both sons of Wajed Ali. Both residents of Village - Balu Tola, P.S. - Kasba, District – Purnea.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Suraj Pd. Sinha, Sr. Advocate.
For the Opposite Party : Mr. Jagdhar Prasad(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-11-2015 Heard learned senior counsel for the petitioners and learned counsel for the State

The petitioners are languishing in custody since 01.08.2015 in connection with Kasba P.S. Case No. 100 of 2015 for the offences instituted under Sections 147, 148, 149, 341, 323, 324, 307, 379 and 504 of the IPC. Later On, Section 302 IPC was also added.

The prosecution story, in brief, is that on 27.04.2015 at about 9.00 A.M., the informant's uncle Abdul Qayum was repairing his broken house alongwith his family members when nine accused persons including the petitioners, armed with weapon, arrived there and started assaulting them with intention to

kill his uncle Abdul Qayum, Md. Wajed gave *Dabia* blow on his head due to which he became injured. Other accused persons Md. Jamshed, Bibi Sabila Khatoon, Abdul Rasid, Md. Khurshid also assaulted him by the weapons they had in their hands, Md. Hakim snatched the golden chain of niece of the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners are in custody since 01.08.2015. There is no allegation of tampering of the evidence against the petitioners. General and omnibus allegation has been made against the petitioners. No specific injury is attributed against the petitioners. Specific allegation is against co-accused Wajed for causing injury upon the deceased.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 the learned C.J.M., Purnea, in connection with Kasba P.S. Case No. 100/2015.

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(Sudhir Singh, J)