

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4375 of 2015

Arising Out of PS.Case No. -166 Year- 2014 Thana -BELAGANJ District- GAYA

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1. Ali Shabir S/o Late Ujair Ahmad
2. Md. Khalid S/o Ali Shabir
3. Md. Asif S/o Ali Sabir
4. Md. Quasim @ Md. Kasif Ali All s/o Ali Sabir
All resident of Village Kurisarai, Police Station Belaganj, District Gaya.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh
For the Opposite Party/s : Mr. Meena Singh(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 30-06-2015 Heard learned counsel for the petitioners, the State and the informant.

Four petitioners herein belong to one family and are accused in a case which was initially instituted under Section 307 of the Indian Penal Code but subsequently charge-sheet has been submitted under Section 325 of the Indiana Penal Code. For possession a particular piece of land, the accused arrived at the Darwaja of the informant and assaulted the father of the informant which caused simple injury and fractured of the right hand of the father of the informant.

It has been submitted that from bare perusal of the FIR it is apparent that there is land dispute between the parties. Title Suit is pending at the instance of the informant for declaring his title and possession over the land after having lost such case filed

before the Revenue Authority. There is counter version of the present case. The allegation is general and omnibus in nature .It is also submitted that the petitioner do not carry criminal antecedent.

In the facts and circumstances of the case, let, in the event of their arrest or surrender in the court below within a period of four weeks, above named petitioners 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 learned C.J.M., Gaya, in Beleganj P.S.Case No. 166 of 2014,subject to the conditions as laid down u/s 438(2) Cr.P.C. with further following conditions:-

(i) one of the bailors shall be own/ close family member of the petitioners.

(ii) As soon as charges are framed, the petitioners shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial court will have liberty to cancel the bail bonds of the petitioner(s) and secure his/their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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