

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23472 of 2015

Arising Out of PS.Case No. -158 Year- 2014 Thana -JADIA District- SUPAUL

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1. Bibi Shakeela Wife of Md. Ismail
 2. Md. Ismail Son of Md. Badri Mian
 3. Md. Istakhar @ Md. Iftekhar Son of Md. Usman
 4. Md. Taiyab Son of Md. Ramju
 5. Md. Rahim @ Rahman Son of Md. Taiyab
 6. Md. Ziaul
 7. Md. Kari Both son of Md. Rajak
 8. Md. Insul Son of Md. Gafoor
 9. Md. Salam @ Baccho Son of Md. Ismail
 10. Md. Israfil Son of Md. Taiyab
 11. Rustam @ Md. Rustam Son of Suleman All resident of village – Sarhadgatti @ Rampatti, Police Station - Sirinagar, District - Madhepura

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sajid Salim Khan, Advocate.

For the Opposite Party : Mr. Anuj Kr.Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-07-2015 Heard both sides.

It is submitted that Md. Ismail the petitioner no. 2 has already been arrested, accordingly, his anticipatory bail is dismissed as has become infructuous.

The petitioners apprehend their arrest in Jadia P.S. Case No. 158 of 2014, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

It is submitted that there is case and counter case. On the basis of fardbeyan of Mosamat Maimun, Madhepura (Sirinagar) P.S. Case No. 72 of 2014 was registered against the informant and others of

Jadia P.S. Case No. 158 of 2014. It is further submitted that on account of land dispute the occurrence took place. There is no allegation of assault against petitioner no. 3 Md. Istakhar @ Md. Iftekhar, petitioner no. 5 Md. Rahim @ Rahman, petitioner no. 6 Md. Ziaul, petitioner no. 7 Md. Kari, petitioner no. 8 Md. Insul and petitioner no. 1 Bibi Shakeela who is a lady and only allegation against her that she abused. Md. Ismail the petitioner no. 2 has already been arrested and Md. Taiyab are the order giver. Md. Salam @ Baccho is said to have assaulted with Lathi, Knee and Finger, but the injuries are simple in nature. Omnibus and general allegations are made against other accused persons. Almost all the injuries are simple in nature.

Considering the facts aforesaid, the petitioner nos. 1,3,4,5,6,7,8,9,10 and 11 above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 Sub-Divisional Judicial Magistrate, Suapul in Jadia P.S. Case No. 158 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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