

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25499 of 2015

Arising Out of PS.Case No. -316 Year- 2014 Thana -SIMRI BAKHTIARPUR District- SAHARSA
=====

1. Md. Mustaque son of Md. Idrish.
2. Md. Idrish son of Md. Majim @ Majim
3. Mohammad son of Md. Majim @ Majim
4. Md. Jasim son of Md. Majim @ Majim
5. Md. Razzak son of Late Md. Abbas
6. Md. Hasan son of Late Md. Jiyauddin
All are resident of Village - Barsam, P.S. - Bakhtiarpur (O.P. Baluahat),
District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Shailendra Kr. Singh (APP)
=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 10-07-2015

Heard both sides.

The petitioners, six in number, apprehend their arrest in a case under Section 307 and other sections of the Indian Penal Code.

The informant alleged that some quarrelling took place between children. On such, Md. Mustaque assaulted the child of the informant. On enquiry, the accused persons came and began to assault the informant and his family members. Mohammad, petitioner no. 3, is alleged to have assaulted the informant with Farsa on his head. It is submitted that there is no specific allegation of assault against any other petitioners. The

injuries, found on the person of the informant and others, are simple in nature.

Considering the fact that there is omnibus and general allegation against all other accused persons, except petitioner no. 3 Mohammad, the above named petitioners no. 1, 2, 4, 5 & 6 are directed, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, 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 Chief Judicial Magistrate, Saharsa in Simri Bakhtiarapur (O.P. Baluahat) P.S. Case No. 316/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the case of petitioner no. 3 Mohammad is concerned, he is alleged to have assaulted with Farsa on the head of the informant. Hence, I am not inclined to enlarge the petitioner no. 3 on anticipatory bail in the aforementioned case. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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