

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4377 of 2015

Arising Out of PS.Case No. -707 Year- 2014 Thana -KATIHAR District- KATIHAR

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1. Ali Hussain @ Md. Ali Hussain
2. Md. Hussain @ Md. Hussan Both S/o Md. Ishlam Village Baigna, P.S.
Katihar (Town), District Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Singh

For the Opposite Party/s : Mr. A.K. Choudhary (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 26-05-2015 Heard learned counsel for the petitioners, the

informant and learned APP for the State.

The two petitioners along with three others
have been cited as accuseds in Katihar (Town) P.S. Case
No. 707/14 registered under section 307 and other allied
sections of IPC.

Owing to certain disputes in Moharram
festival it is alleged that accused persons entered into
the house of the informant and one of them slit the neck
of the brother of the informant with 'Hasua'.
Subsequently, it has been interluded in the FIR that
petitioner no.2 assaulted the informant with a bamboo

clump. The injured was rushed to the hospital whereafter the FIR was lodged.

The contention of the petitioners is that the solitary act of assault to the victim has been attributed to one Md. Ashique. On a trivial issue the occurrence is said to have been committed. No injury worth the name was actually sustained by the informant. The petitioners do not carry any criminal antecedents.

Considering the aforesaid, in the event of arrest/surrender within four weeks from today, petitioners above named shall be released on bail on furnishing bail bonds of Rs. 10,000/- each, with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in Katihar (Town) P.S. Case No. 707/14, G.R. No. 3360/2014 on condition that one of the bailors of each of the petitioners shall be their own/close family members. No sooner the charges are framed, they shall appear in person on each dates fixed at the trial. In case of default in doing so on two consecutive dates, their bail bonds shall stand cancelled. Moreover, during the subsistency of this privilege of bail if the petitioners are found involved in nay criminal

case of serious nature the same shall be construed as breach of condition of bail entailing cancellation of their bail bonds.

(Kishore Kumar Mandal, J)

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