

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29555 of 2015

Arising Out of PS.Case No. -384 Year- 2011 Thana -SHERGHATI District- GAYA

- =====
1. Mumtaz son of Md. Sharfuddin Ansari
2. Kallu Mian son of Md. Allauddin Both resident of Village- Bar Hussainganj, Police Station- Sherghati, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sajid Salim Khan

For the Opposite Party/s : Mr. Sadanand Paswan(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-07-2015 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

Petitioners apprehend their arrest in a case
registered under section 307 and other allied sections of the Indian
Penal Code and 3(1)(X) SC/ST Act.

According to the informant while he was on
way, altogether 10-12 persons who were assembled there asked
about the informant being Hindu and that he belongs to Bhuyan
caste and thus assaulted him. It is alleged that accused persons
assaulted the informant by means of sword, the informant made
protest and that course one of his finger chopped off and other two
fingers were curt and he also sustained injuries on his had and
became unconscious.

It is submitted on behalf of the petitioners that petitioners have no criminal antecedent. It is further submitted that after investigation the police has found the case to be false and petitioners were not sent up for trial but the court below after differing with the said police report has taken cognizance.

On behalf of the State it is submitted that the petitioners are named in the first information report.

Considering the aforesaid facts, the above named petitioners in the vent 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) with two sureties of like amount each to the satisfaction of learned S.D.J.M, Sherghati, Gaya in Sherghati P.S. Case No. 384 of 2011, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Sudhir Singh, J)

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