

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50762 of 2014

Arising Out of PS.Case No. -255 Year- 2014 Thana -CHAPRA CITY District- SARAN
=====

- 1. Asgar Imam
- 2. Haider Imam

Both son of Late Hassan Imam Resident of village-Chota Telpa, P.S
Chapra Town,District -Bhojpur.

..... Petitioner/s
Versus

- 1. The State of Bihar

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

Appearance :
For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar (App)
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-05-2015 The petitioners are apprehending their arrest in connection with Chapra (Town) P.S. Case No. 255 of 2014 for the offence under Sections 147, 148, 149, 341, 323, 325, 307, 504 and 506 of the Indian Penal Code.

Heard learned counsel for the petitioners, learned counsel for the informant and the State.

The prosecution story, in brief, is that while the informant along with his family members was sitting at his door all the accused persons including these petitioners came and began to abuse them. On protest, petitioner Asgar Imam gave axe blow on the head of his son, Tahir Imam and Haider

imam gave daab blow, causing injury on the head of his another son Abid Imam. Others co-accused assaulted with iron rod.

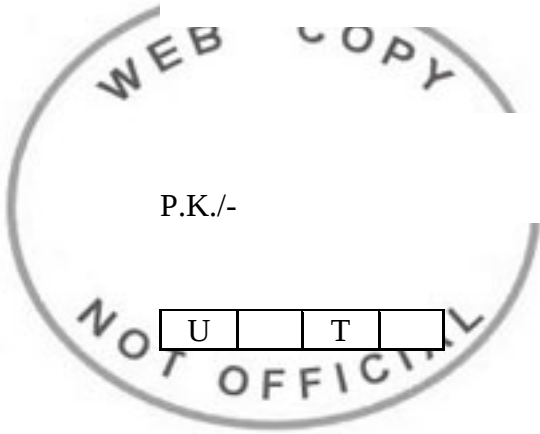
It is submitted on behalf of the petitioners that the present case is a case and counter case. The counter case is Annexure-2 to the present application. Further, it has been submitted that the injuries, which is Annexure-4 to the present application shows that the injuries are simple in nature.

On behalf of the State and informant, it has been submitted that there is specific allegation against the petitioners for causing the injuries and the petitioners are named in the F.I.R.

Considering the fact that the injury report indicates that the injury has been caused by hard and blunt substance, as to when it has been alleged that the accused had assaulted by kulhari. It goes to show that the allegation made by the informant do not corroborate with the injury report.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, 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 Chief Judicial Magistrate, Saran at Chapra in connection with Chapra (Town) P.S. Case No. 255 of

2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.



(Sudhir Singh, J)