

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.357 of 2015

Arising Out of PS.Case No. -328 Year- 2014 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Seraz Ahmad @ Seraz Mian, Son of Idrish Mian
2. Fasiullah @ Bona @ Dhur Mian, Son of Ghur Mian, Both Resident of
Village – Ratanmala, P.S. – Bagaha, District – West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate.

For the Opposite Party/s : Mr. Yogendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 08-01-2015 Heard learned counsel for the petitioners, learned
counsel for the State as well as learned counsel for the informant.

The petitioners apprehend their arrest in Bagaha P.S.
Case No. 328 of 2014, registered for the offences punishable
under Section 307 and other Sections of the Indian Penal Code.

Akhtar Hussain the informant alleged that while he
went to see his field, he found Parwej Alam was ploughing his
land. It is alleged that Parwej Alam assaulted Ahmad Hussain his
father with Pharsa on his head and blood started oozing. Rajai
Mian assaulted the informant with iron rod on his head. Again
Husnain Mian assaulted father of the informant Ahmad Hussain
with iron rod on his head. Thereafter, the petitioners and others are
alleged to have made indiscriminate assault to the informant and

his father.

Learned counsel for the petitioners submits that from perusal of the injury report Ahmad Hussain the father of the informant, it appears that he got three injuries and all the three injuries are on head and the informant Akhtar Hussain got one injury. The petitioners are alleged to have assaulted but no corresponding injuries are found on the body of the informant Akhtar Hussain or his father Ahmad Hussain.

Learned counsel for the informant has vehemently opposed the prayer for bail and submitted that these petitioners are also alleged to have indiscriminately assaulted the informant and his father.

Having considered the facts and the fact that although there is allegation of assault against the petitioners, but no corresponding injuries was either found on the informant or his father and the occurrence took place on account of land dispute, the petitioners, 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 anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial

Magistrate, Bagaha, West Champaran in connection with Bagaha
P.S. Case No. 328 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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