

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5944 of 2015

Arising Out of PS.Case No. -181 Year- 2014 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Zalim Mian S/O Late Hafdar Mian
 2. Zakir Mian S/O Zalim Mian,
- Both are residents of village-Telpur, P.S-Lauriya, Distt-West Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. N. A. Shamsi, (A.S.G.)

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 12-02-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The accused-petitioners seek bail in a case registered
for the offence punishable under Sections 147, 148, 149, 323, 324,
307, 302 and 504 of IPC.

Allegation against the petitioners and other accused is
to have entered into the house of the informant and assaulted the
inmates of the house including the deceased.

It is submitted that there is general and omnibus
allegation against the accused who have assaulted the inmates of
the house of the informant including the petitioner but there is
specific allegation of overtact against Sakir Mian @ Manbodh

who gave a fatal blow on the head of the father of the informant, deceased.

It is further submitted that there is case and counter-case between both the parties. Sakir Mian was also assaulted at the hands of family members of the informant for which he has also made statement in the hospital leading to Lauriya P. S. Case No. 188 of 2014. The petitioners have no criminal antecedent.

It is also submitted that it is apparent from the post-mortem report that the deceased has only one injury on the head of the deceased which was fatal.

Considering the facts and circumstances, the above named petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, West Champaran at Bettiah/court concerned in Lauriya P. S. Case No. 181 of 2014 (G. R. No. 4433 of 2014) with following conditions:-

1. The petitioners will not indulge themselves in similar or any other offence.
2. One of the bailors must be the close relative of the petitioners.
3. The petitioners will be well represented in the Court on

each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, their bail bonds would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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