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The prosecution story, in brief, is that on 02.09.2014 at about 7.00 A.M. the informant was at his Darwaja then all the F. I. R. named accused persons and 10 to 15 unknown miscreants variously armed with weapons, Lathi, Danda, Iron Rod and country made pistol came there, surrounded and abused him and when it was objected that Md. Nausad put country made pistol on his chest and threatened him. In the meantime, Md. Rabbis ordered the accused persons to kill him and they all abused and assaulted the informant with fists and slaps and started abusing with iron rod. On Hulla, his son, relatives and neighbour came to save him but the accused persons surrounded them and accused Md. Sahab, Wohab, Md. Aftab and Md. Sakir caught them and Md. Nawab gave iron rod blow on Md. Sakir. Accused persons have not even spared lady and they assaulted Mojima Khatoon by iron rod on her head and in course of occurrence Md. Sohab took out cash amount from the pocket of informant and other accused persons took away clothes, ornaments and house hold articles.

It has been submitted on behalf of the petitioners that it is a case and counter case. Further it has been submitted that Annexure-2 is the counter case instituted by the petitioners' side. It has further been submitted the petitioners' side have also sustained injury in course of occurrence and the same has not been

explained by the prosecution.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances that it is a case and counter case, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Saur Bazar (Patarghat O.P.) P.S. Case No. 416 of 2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., Saharsa, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)