

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27103 of 2015

Arising Out of PS.Case No. -79 Year- 2015 Thana -BARHARIA District- SIWAN

1. Rafi Ahmad Son of late Hafijiur Rahman
2. Ma. Asif @ Ashif @ Ladaley S/o Ajijur Rahman
3. Samiullah Ansari Son of late Abdul Kadir
4. Nadeem Ansari @ Nadeem Iqbal son of Rafi Ahmad
All resident of Tola Hardia, P.S.- Barharia, District - Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Uday Chandra Prasad (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-07-2015

Heard both sides.

The petitioners, four in number, apprehend their arrest in a case under Section 307 and other sections of the Indian Penal Code.

The petitioners are alleged to have assaulted the informant Shamim Ahmad and Fahad Ansari with Farsa, iron rod and butt of pistol. Rafi Ahmad (petitioner no. 1) is alleged to have assaulted the informant with Farsa on his head. It is submitted that there is a counter-version being Barharia P.S. Case No. 78/2015. The occurrence took place due to land dispute and construction of a boundary wall. It is submitted that from perusal of the injury report of injured Fahad Ansari and Majid Hussain, it appears that Fahad Ansari got injuries of laceration, bruise and swelling, which

are simple in nature. No injury is caused by a sharp-edged weapon, such as, Farsa. Majid Hussain did not get any injury on his head. He got injuries of swelling and bruise on his arm.

Considering the facts aforesaid and the fact that there is a case and counter-case from both sides and persons of both sides got injuries and the occurrence took place due the land dispute, the above named petitioners, in the event of their arrest or surrender before the learned 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) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in Barharia P.S. Case No. 79/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Dilip/-

(Prabhat Kumar Jha, J)

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