

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48795 of 2015

Arising Out of PS. Case No. -125 Year- 2015 Thana -SAHKUND District- BHAGALPUR

- =====
1. Hasin @ Hasin Akhtar, S/o Himayun @ Abu Himayun
 2. Sahid @ Abu Shahid, Son of Abu Saleh
 3. Abu Saqib @ Abu Md. Saqib, Son of Abu Shahid @ Sahid
- All are resident of Village- Samastipur, P.S. Sakhund, P.O.- Samastipur,
District- Bhagalpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary
For the Opposite Party/s : Mr. Parmanand Kumar(App)
For the informant : Mr. Bindhyachal Singh, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

2 09-11-2015 Heard learned counsel for the petitioners and the

State as well as Informant.

The petitioners apprehend their arrest in a case under

Section 307 and other allied sections of the Indian Penal Code.

The informant alleged that while he along with his

brother prceeded to Punpun Bazar they were apprehended by the

accused persons, who assaulted with Lathi and rod on the head,

chest and leg.

The petitioners submit that there is a case and counter

case and the prosecution side misbehaved and assaulted female

member of the family, for which complaint case was filed, which

was sent to the police under Section 156 of the Cr.P.C. The petitioners by referring to the injury report (Annexure-4) submit that all the injuries are simple in nature.

Counter affidavit has been filed on behalf of the informant annexing the copy of the medical treatment as well as injury report, as per which there was fracture of 6 and 7 rib (LT) side of informant.

The petitioners countering the submission of the informant submit that the injury report is of a private hospital and as such the injury report of a Government Hospital would have a bearing.

In my view, the grounds raised by the petitioners are good ground for regular bail. If the petitioners surrender before the court below and pray for regular bail, the same would be disposed of on the same day taking into consideration that there is a case and counter case and dispute is between own family members.

This application stands disposed of.

(Samarendra Pratap Singh, J.)

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