

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6308 of 2015

Arising Out of PS.Case No. -104 Year- 2014 Thana -BEERPUR District- BEGUSARAI

- =====
1. Md. Kamal
 2. Md. Faku Alam @ Md. Fakra Alam
 3. Md. Nasir,
 4. Md. Samim All sons of Md. Oli
 5. Md. Arman
 6. Md. Rahman Both sons of Md. Kamal
 7. Md. Mahboob Son of Md. Faku Alam All are residents of village-Beerpur Purbi Tola, P.S. Birpur, District Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sada Nand Ray, Advocate.

For the Opposite Party/s : Mr. Pramod Kr.Panday(App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-02-2015 Heard both sides.

The petitioners apprehend their arrest in Beerpur P.S. Case No. 104 of 2014, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

According to the prosecution case, Md. Mokabil the informant named the seven petitioners and made omnibus and general allegation of assault on him and his wife with Lathi on account of land dispute.

Learned counsel for the petitioner submits that from the side of the petitioners one Complaint Case No. 15098 of 2014 was filed much prior to the occurrence against the informant and



others. For the same occurrence Gulzaha Khatoon filed Beerpur P.S. Case No. 105 of 2014. The informant has illegally constructed a hut on the land of the petitioners and for that the occurrence took place. Of course, the informant has got four injuries, but three injuries are simple in nature and one found on left index finger is opined to be grievous on account of fracture. Omnibus and general allegation is made against the petitioners.

Learned APP, however, opposed the prayer for anticipatory bail of the petitioners.

On perusal of the records, it appears that there is case and counter case. On account of land dispute, the informant has got four injuries out of which one injury found on the left index finger which is opined to be grievous, but who is the author of the injuries has not been mentioned.

Considering the facts aforesaid and the fact that on account of land dispute both the sides fought each other, 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 bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the

satisfaction of Sri Rameshwar Mishra, the learned Judicial Magistrate, 1st Class, Begusarai in connection with Beerpur P.S. Case No. 104 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--