

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24828 of 2015

Arising Out of PS.Case No. -36 Year- 2014 Thana -BIHARIGANJ District- MADHEPURA

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1. Sadrul Alam @ Md. Sadrul Son of Late Binnu Alam
 2. Seikh Israfil Son of Late Ghanimat
 3. Md. Sahab Ansari @ Saheb Ansari Son of Muslim Ansari
 4. Md. Mustaquim Ansari @ Mustaquim Son of Late Sultan Ansari
 5. Seikh Ghaffar Son of Seikh Sattar
 6. Bastam Ansari Son of Late Bauki Ansari
 7. Md. Astaque @ Md. Asfaque Alam Son of Sadrul
- All Resident of village - Nardah, P.S. Puraini, District - Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dr.Kr.Uday Pratap(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-07-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 379 and 506 of the Indian Penal Code.

Prosecution case is that the informant along with villagers and Sarpanch went to fence the cremation ground then co-accused Md. Mansoor Ansari assaulted with iron rod to informant's brother Md. Ajmul Nadaf, whereas petitioner no. 3 Md. Saheb Ansari assaulted to Hazo Ansari with garasa causing fracture injury, whereas

co-accused Sudhir Alam assaulted the informant with fist and slap and snatched Rs. 3100 from his pocket.

It is submitted by the learned counsel for the petitioners that specific accusation of assault is only been levelled against Md. Mansoor Ansari, Saheb Ansari and Sudhir Alam, out of which only Saheb Ansari is petitioner no. 3 in the present proceeding, though, it is alleged that he caused injury with garasa but the injury report contained in Annexure-2 reflects marginal size simple injury caused by hard and blunt substance. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Uda Kishunganj in connection with Bihariganj P.S. Case No. 36 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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