

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51771 of 2015

Arising Out of PS.Case No. -309 Year- 2015 Thana -PURNEA SADAR District- PURNIA

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1. Md. Matiur Rahman @ Matiur Rahman Son of Late Md. Idrish @ Idris, resident of Mirzapur @ Mirjapur, P.S. Sadar, District Purnea.
 2. Md. Shakilur Rahman @ Md. Sakirul Rahman @ Sakirul, Son of Md. Anisur Rahman resident of Mirzapur @ Mirzapur, P.S. Sadar, District Purnea.
 3. Md. Shamser @ Md. Shamsher Ali @ Shamsher Son of Late Humayun, resident of Mian Bazar, P.S. Sadar, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Firoz Raza

For the Opposite Party/s : Mr. U.S.Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 14-12-2015 Heard the Counsel for the petitioners and the APP for the State.

Three petitioners herein seek bail in Sadar P.S. Case No. 309 of 2015 registered under Sections 302, 307 and other allied sections of the Indian Penal Code.

The father of the informant received sickle blow at the hands of the co-accused Mursalim who was ordered by co-accused Anisur Rahman to do so. There is general allegation on all the 11 accused persons that they assaulted other members of the prosecution side causing injury to three of them.

Contention of the petitioners is that from perusal of the F.I.R., it would appear that there is a land dispute between the two



sides for which earlier occurrence has been committed in which petitioners along with others were cited as accused. There is no allegation of having caused injury to the victim/deceased. Considering the above, three other accused persons have been granted the privilege of anticipatory bail vide order dated 24.11.2015 passed in Cr. Misc. 53501 of 2015. They are in custody since August, 2015. It is stated that there is no criminal antecedent against petitioner no. 3 and petitioner nos. 1 and 2 are accused in the related case.

Considering the above, the petitioners abovenamed are directed to be released 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 learned Chief Judicial Magistrate, Purnea in Sadar P.S. Case No. 309 of 2015 subject to the following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in

accordance with law.

Pankaj/-

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(Kishore Kumar Mandal, J)

