

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29878 of 2015

Arising Out of PS.Case No. -47 Year- 2015 Thana -BELAGANJ District- GAYA

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Md. Mojammil, Son of Md. Ayub, Resident of village - Ujjay, P.S.
Belaganj, District - Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 04-08-2015 Heard learned counsel for the petitioner, the learned
counsel for the informant and the learned counsel for the State.

The petitioner is apprehending his arrest in connection with Belaganj P.S. Case No.47 of 2015 for allegedly having committed the offences under Sections 341, 447, 323, 325, 307, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that though there is an allegation of having injured the lady with iron rod by this petitioner as well as one other person, the injuries on the person of Laila Khatoon have been found to be only single and as such, it cannot be attributed in particular to this petitioner alone. Learned counsel for the petitioner further submits that there was no repetition of blows and the incident occurred on

account of aggression made by other side with regard to the construction of boundary wall. It is submitted that the petitioner's side had also filed an F.I.R., bearing Belaganj P.S. Case No.46 of 2015, on the same date in which they had alleged that the informant's side had attacked them in their homes and it is only on the intervention of the co-villagers, that they could be saved.

Considering the nature of allegations and also the fact that there is case and counter case with regard to the construction of boundary wall and that the petitioner has no criminal antecedents, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, in connection with Belaganj P.S. Case No.47 of 2015 (G.R. No.1438/2015), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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