

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15991 of 2015

Arising out of PS.Case No. -4 Year- 2015 Thana -KURSAKANTA District- ARRARIA

1. Md. Mojib @ Mojib, son of Habib.
2. Md. Sahid, son of Md. Mojib.
3. Md. Jamal, son of Dilmohammad.
4. Md. Ragib @ Bhotu, son of late Noorhasan.
5. Md. Rajjak @ Md. Rajak, son of late Habib.
6. Md. Aamid, son of late Noorhasan.
7. Badi-u-jamma, son of late Md. Hasan.
8. Samsad, son of Matim.
9. Md. Manjar, son of Samsul.
10. Md. Sakib, son of Hibdur Rahman @ Kareb. All residents of village - Garaiya, Lailokhar, P.S. - Kursakanta, District - Araria.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioners : Mr. Ranjeet Kumar Singh, Advocate.
For the Opposite Party : Mr. Pranav Kumar(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 03-09-2015 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Kursakanta(Kuwari)P.S. Case No. 04 of 2015, G.R. No. 40/2015 for the offences instituted under Sections 147, 148, 149, 341, 323, 324, 307, 436 and 504 of the IPC.

The prosecution story, in brief, is that the accused persons due to some dispute regarding certain land started abusing the old mother and other family members of the informant and on

protest, the petitioners Md. Mojib, Md. Sahid, Md. Jamal, Md. Ragib and Md. Rajjak set fire to the house of the informant. The accused also committed assault. Three persons, namely, Sadaque, Md. Faiyaz and Md. Akram received injuries. The petitioner Mojib had a knife, Md. Sahid had a farsa and Jamal had a sword in their hands.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is a case and counter case. It is further submitted that the petitioners' side have also sustained injuries in course of occurrence and the same has not been explained by the prosecution which casts serious doubt upon the case of the prosecution.

On behalf of the State and informant it has been submitted that the petitioners are named in the F.I.R. and there is specific allegation against them.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of four weeks from today in connection with Kursakanta(Kuwari) P.S. Case No. 04/2015, G.R. No. 40/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned

J.M. Ist Class, Araria, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

