

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36378 of 2015

Arising Out of PS.Case No. -69 Year- 2012 Thana -FORBESGANJ District- ARRARIA

1. Allauddin @ Md. Allauddin son of Md. Sultan, resident of village-
Purwari Jhirwa, P.S. Simraha(Forbesganj), District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra, Advocate

For the Opposite Party/s : Mr. Sanjay Kr.Tiwary 1(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-09-2015

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
147, 148, 149, 341, 323, 324, 307, 379 of the Indian
Penal Code.

The prosecution case is that accused Salauddin
put the wooden shop on the land of the informant. When
the informant asked him for removing the wooden shop,
thereafter Salauddin started abusing the informant. In the
meantime other started abusing on the order of
Salauddin. This petitioner caused injury with farsa to the

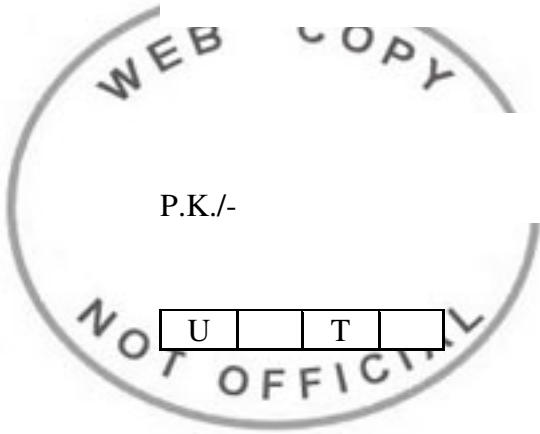
informant, when Nazir, Sadre Alam and Soyeb Alam came to rescue, then they were also assaulted by the co-accused persons. Co-accused Haso took out Rs. 15,000/- from the pocket of the informant and co-accused Hazrat snatched silver chain from his neck.

It is submitted by the learned counsel for the petitioner that injury has been found to be simple. The accusation has been levelled in the background of land dispute. For the occurrence of 01.02.2012 the First Information Report was lodged on 18.02.2012 whereas the petitioner's side had also lodged a case bearing Forbesganj P.S. Case No. 46 of 2012 on 03.12.2013. Petitioner's side has also received injury. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj (Simraha) P.S. Case No. 69 of 2012, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

Considering the nature of accusation, the learned court below will be at liberty to cancel the bail bonds of the

petitioner, if he substantially gets involved in some serious nature of the offence or defaults for two consecutive occasions.



(Dinesh Kumar Singh, J)