

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16376 of 2016

Arising out of PS.Case No. -111 Year- 2015 Thana -PARIHAR District- SITAMARHI

1. Md. Shabir, Son of Late Md. Shamsul Haque.
2. Md. Badre Alam, Son of Md. Shabir. Both residents of Village - Ekdandi,
P.S.- Parihar, District- Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Md. Anisur Rahman, Advocate.
For the Opposite Party : Mr. Manoj Kumar(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-05-2016 Heard learned counsels for the petitioners, informant
and learned counsel for the State.

The petitioners are languishing in custody since
12.01.2016 in connection with Parihar P.S. Case No. 111 of 2015
for the offences instituted under Sections 147, 148, 149, 341, 307,
324 and 302 of the IPC.

The prosecution story, in brief, is that on 23.06.2015 at
about 9.25 P.M., when the informant went to the shop of Md.
Sabir to get the balance money out of the sale proceed of her land,
all the accused persons named in the FIR including the petitioners
began abusing her. The informant, her son Haider and Akhtar

protested them. Then the accused persons lie the informant's son Haider down hurled knife blow on his chest. The informant rushed to rescue her son, but Md. Sabir and Mumtaz inflicted knife blow on her. In the meantime, Rahisa Khatoon and Mushrat Khatoon and they also inflicted knife blows on her and her son. The villagers brought them to the hospital, where the doctor declared her son dead. The motive behind the occurrence was that the petitioner Md. Sabir sold the share land of the informant and she had gone to demand the sale proceeds of the land.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners are in custody since 12.01.2016 and the charge sheet has been submitted in the case. As far as petitioner no. 1 is concerned, there is no allegation of assault against him upon the deceased.

On behalf of the learned counsels for the State and the informant it has been submitted that there is specific allegation of assault against petitioner no. 2.

As far as petitioner no. 2, Md. Badre Alam is concerned, I am not inclined to grant bail to him. The same is rejected.

Considering the aforesaid facts and circumstances, let the petitioner no. 1, Md. Shabir 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 C.J.M., Sitamarhi, in
connection with Parihar P.S. Case No. 111 of 2015.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

