

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19073 of 2016

Arising Out of PS.Case No. -232 Year- 2015 Thana -BAHADURGANJ District- KISANGANJ

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1. Khairuddin S/o Late Badruddin
2. Nazir Alam @ Nazir S/o Khairuddin
3. Tousif S/o Khairuddin
4. Nokej @ Naukez S/o Late Saiffudin All are resident of village - Kumar
Toli, P.S. Bahadurganj, District - Kishanganj Petitioner/s
Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha
For the Opposite Party/s : Mr. Veena Rani Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 29-06-2016 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

The petitioners seek bail in connection with Bahadurganj P.S. Case No. 232 of 2015 registered for the offences punishable under Sections 147, 323, 341, 307, 354, 504 and 506 of the Indian Penal Code.

Allegedly, due to dispute between the children, the petitioners and other F.I.R. named accused persons came to the house of informant and started abusing to Anjila Khatoon and Sanjeema Khatoon when they were taking bath and on protest they assaulted to both with Lathi and Danda causing injury to them and made them naked.

Submission is of false implication and that there is no specific allegation against the petitioners, there was no intention to

commit murder and, as such, offence under Section 307 IPC is not made out, there is case and counter case. The injuries caused to both the injured were found simple in nature and by a private doctor again report has been obtained showing injury of Anjila Khatoon grievous in nature. The petitioners are in custody since 01.03.2016, chargesheet has already been submitted after completing investigation and, as such, the petitioners deserve sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances stated above, now the petitioners are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kishanganj in connection with Bahadurganj P.S. Case No. 232 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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