

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5082 of 2016

Arising out of PS.Case No. -228 Year- 2015 Thana -CHHATAPUR District- SUPAUL

- =====
1. Kamrujama @ Md. Kamrujama, Son of Majid Miyan.
 2. Majid Miyan, son of Abdul Miyan.
 3. Bibi Gulsan, Wife of Kamrujama @ Md. Kamrujama.

All are residents of village- Mahammadganj, P.S. Chhatapur,
District – Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 29-03-2016

Heard Mr. Arun Kumar Jha, learned counsel

appearing for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in connection with Chhatapur P.S. Case No.228 of 2015 for the offences punishable under sections 323, 324, 307, 379 and 506/34 of the Indian Penal Code.

The FIR is placed at Annexure-1 and charges these petitioners of assault on the informant.

Learned counsel for the petitioners while submitting that the injury allegedly caused by the petitioner no.1 is simple in nature, the allegations against others is ornamental.

Having heard learned counsel for the parties and considering the specific allegation against the petitioner no.1 this application in so far as petitioner no.1 (Kamrujama @ Md.

Kamrujama) is concerned is disposed of with a direction to surrender and pray for regular bail which should be considered and disposed of by the court below on its own merit without being prejudiced by the order passed in this proceedings.

In so far as the petitioner nos.2 and 3 are concerned, in consideration of the nature of allegation made in the FIR and the submission of learned counsel, let the petitioner nos.2 and 3, namely, Majid Miyan and Bibi Gulsan respectively in the event of their arrest or surrender within four weeks from today be released on bail upon each of them furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Supaul in connection with Chhatapur P.S. Case No.228 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

This application is allowed in part.

(Jyoti Saran, J)

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