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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10856 of 2016

Arising Out of PS.Case No. -94 Year- 2015 Thana -LADANIA District- MADHUBANI

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1. Md. Shakil S/o Md. Nurul Hasan
2. Md. Naushad S/O Md. Murtuja Ali
3. Md. Ejaz son of Md. Murtuja Ali
4. Md. Reshad Alam @ Mister S/o Md. Maksood Ali
5. Sanaullah Son of Md. Ijahar
6. Rafiullah @ Chunnu son of Md. Kudus All of village Piprahi P.S. Ladaniya District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Md. Soban Asghar
For the Opposite Party/s : Mr. Ahmad Ali(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-03-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,341,307,379 and 504 of the Indian Penal Code.

The prosecution case is that on 21.6.2015 the informant was plucking mango from the orchard to sell. At 9.30 A.M. co accused Md. Irshad Ahmad along with 10-15 persons came in the garden and robbed the mango fruits. On protest being made, co accused Irshad assaulted

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with farsa on the head of the informant when petitioner Md. Shakil assaulted with iron rod on the head of the informant.

It is submitted by the learned counsel for the petitioners that specific accusation of assault is against co accused Md. Irshad and petitioner no. 1 Md. Shakil. It is further submitted that one incised injury has been found on the left side of the scalp of the informant alleged to have been caused by co accused Md. Irshad while the other injury is swelling over the wrist. There is counter version of the occurrence. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Since the specific accusation of assault has been levelled against petitioner no.1, let the learned court below consider the prayer for regular bail of the petitioner no. 1 in case he surrenders within six weeks from today in connection with Ladaniya P.S. Case No. 94 of 2015 pending in the court of learned A.C.J.M. II, Madhubani.

So far as petitioner nos. 2 to 6 are concerned, considering the facts and circumstances of the case, let the above named petitioner nos. 2 to 6 be released on

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anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM II, Madhubani, in connection with the aforementioned case subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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