

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10729 of 2016

Arising Out of PS.Case No. -485 Year- 2015 Thana -SAHARSA District- SAHARSA

- =====
1. Md. Kasim S/o Md. Hamid,
 2. Md. Sadam, S/o Md. Kasim

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-03-2016 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 34 of the Indian Penal Code.

Prosecution case is that on 22.06.2015 at 1:00 PM the when the informant came to his house, he saw his mother, sister and younger brother were being assaulted by the accused persons. On protest being made petitioner no.1 Md. Kasim assaulted with 'farsa' causing injury on the head of the informant when father of the informant came to rescue then he was being assaulted by petitioner no.2 Md. Saddam with spade when other accused persons assaulted the mother of the informant with fists and slaps. Petitioner no.2 Md. Saddam took away rupees eleven hundred

from the pocket of the informant when accused Aijum Khatun snatched nose pin of the mother of the informant.

It is submitted by learned counsel for the petitioners that it is specifically alleged that these petitioners assaulted with 'farsa' and spade but injury of both the informant and his father has been found to be caused by hard and blunt substance and nature of injury has been found to be simple. There is counter version of the occurrence also wherein petitioners' side have also received injuries. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa in connection with Sadar P.S. Case No.485/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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