

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19000 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -BAHADURGANJ District- KISANGANJ

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1. Hasib Alam
2. Najim @ Najim Alam
3. Nasim @ Nasim Alam. All sons of Late Tamizuddin, Resident of Village- Satal Istamrar, P.S. Bahadurganj, District- Kishanganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sahin Begum, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 10-05-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Bahadurganj P.S. Case No. 13 of 2016, disclosing offences under Sections 147, 148, 341, 323, 307, 504, 506 and 379 of the Indian Penal Code.

It is alleged against the accused persons including the present petitioners that they assaulted the informant and his wife with fists, slaps and kicks as also with iron-rod. It is also alleged that co-accused Akil snatched mobile from the informant and golden chain of his wife.

Learned counsel for the petitioners submits that there is

land dispute pending between the parties and a counter case has also been lodged by the petitioners' side. He submits that no offence under Section 307 is made out as the injury has been found simple in nature.

Considering this submission so made, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Bahadurganj P.S. Case No. 13 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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