

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25096 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -MAJHAHGARH District- GOPALGANJ

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1. Hassan Imam @ Chhotu Son of Babooddin Mian.

2. Sarwari Khatoon w/o Babooddin Mian.

All r/o village- Dharam parsa, P.S.- Manjhagarh, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Prasad Sinha

For the Opposite Party/s : Mr. Sangita Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 20-06-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 324, 307 and 506/34 of the Indian Penal Code.

The prosecution case is that the accused persons were constructing toilet on the share of the land of the informant. On protest being made the accused persons started abusing the informant and on the order of co-accused Babuddin Mian who inflicted Farsa blow on the head of the informant causing bleeding injury and when he fell down petitioner no. 1



Hassan Imam inflicted knife on the arm pit of the informant and co-accused Seraj Ahmad inflicted sword blow causing injury on the left wrist of the informant, co-accused Isteyque Ahmad assaulted with lathi on the right hand and waist of the informant. In the meantime, petitioner no. 2 Sarwari Khatoon assaulted the informant with rod on his back. On alarm being raised when the son and brother of the informant came to rescue then the accused persons escaped from the scene after giving threats.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. Incised wound has been found on the left wrist of the informant but the opinion has been kept reserved. The petitioner no. 1 and his father Babuddin Mian have also received injury. The case lodged by the petitioners' side is at earlier point of time and a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that the accusation has been levelled in the background of land dispute and the case lodged by the petitioners' side at earlier point of time, 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 twelve weeks from today, on furnishing bail bonds of

Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S. Case No. 57 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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