

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43424 of 2015

Arising Out of PS.Case No. -209 Year- 2014 Thana -SIRDALA District- NAWADA

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1. Md. Ilyas Mian @ Md. Ilyas, son of Late Ibrahim Mian
 2. Md. Islam (Raju) @ Rju Mian @ Raju Mian, son of Kalim Mian, both resident of Village : Aarandi, P.S Sirdala, (Meskaur) District Nawadah.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed. Rizwanul Haque, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan, Spl. PP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 10-02-2016

Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners apprehend arrest in connection with Sirdala (Meskaur) P.S. Case No.209 of 2014 for the offences alleged under Sections 147, 148, 341, 323, 504, 307 and 447 of the Indian Penal Code and Section 3(i)(x) of the SC/ST (Prevention of Atrocities) Act.

The prosecution case, as stated by the informant Bigan Ravidas is that on 08.10.2014 at 11.00 P.M. when the informant was at Bisfitta Aahar situated east of the village the petitioners, three unknown persons came there and told that why did he damage the said Aahar. It is further alleged that Md. Iliyas Mian assaulted him by lathi on his head and when he tried to flee



away Raju Mian and three others assaulted him by lathi, danda on his back and hand and when the informant ran to his house they also arrived there and abused him naming his caste and told that he has been assaulting their children at Badhar and told that they will kill him. On hulla villagers gathered there and fight started between both sides and they assaulted each other. The reason behind the occurrence was that the informant's son, namely, Abjit Kumar went to Badhar for fishing two days prior to the occurrence where Kalim assaulted his son with fists and slaps. It is further alleged that when the informant went to his house to narrate the said fact the accused persons abused the informant naming his caste and assaulted him and when his wife Manti Devi came to save him she was also assaulted.

It has been submitted by the learned counsel for the petitioners that they have no criminal antecedent and there was some dispute and quarrel between the children of the informant and the petitioners for which case and counter-case has been filed. It has further been submitted that both sides received injury and now the petitioners and the informant side have compromised. It has been submitted that in the counter-case the informant has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court in Cr. Misc. No. 32096 of 2015 on 13.08.2015.

Since there is allegation and counter allegation, case and counter-case, as such, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from today, be released on bail 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, Nawada, in connection with Sirdala (Meskaur) P.S. Case No. 209/14, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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