

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48689 of 2015

Arising Out of PS.Case No. -133 Year- 2015 Thana -BIRAUUL District- DARBHANGA

- =====
1. Kalam Khan, Son of Alamgir Khan
 2. Kapil Khan @ Kafil Khan, Son of Zaheer Khan
 3. Saghir Khan, Son of Ahmad Hussain Khan @ Ahmad Khan
 4. Chhotu Khan, Son of Jahangir Khan @ Jahan Khan
 5. Amal Khan, Son of Jahangir Khan @ Jahan Khan
 6. Tausif Khan, son of Jahir Khan @ Jahan Khan
 7. Zaheer Khan @ Zaheer Ahmad Khan, S/o Majid Khan
 8. Bhaddu Khan, S/o Jahangir Khan @ Jahan Khan
- All resident of Village- Kabai, P.S.- Manigachhi, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. S.Ehteshmuddin(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 29-01-2016 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Biraul P.S. Case No.133 of 2015 for allegedly having committed the offences under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

Case diary in the present case was called for, which has since been received.

Learned counsel for the petitioners submits that there is case and counter case between the parties and both the

parties have sustained injuries in the altercation which occurred on account of land dispute. It is alleged that 18-20 persons have entered into the house of the informant Fayaj Khan and started assaulting different members of the family, who received injuries. However, learned counsel for the petitioners submits that the injuries, which have been sustained, are simple injuries.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that there is no further material in the case diary and the injuries have been found to be simple in nature.

In view of the fact that no further material has emerged in the case diary save and except the allegations made and that the antecedents, which have been indicated by the petitioners in paragraph no.3 of the petition, are also with regard to the litigations between the parties, in which some of the petitioners have been granted bail and in one case Petitioner No.5 had been acquitted and also because Petitioner Nos.2, 3,6 and 7 have got no criminal antecedents, let all the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 the learned Sub-Divisional Judicial Magistrate, Biraul, Darbhanga, in connection with Biraul P.S. Case No.133 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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