

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28477 of 2016

Arising Out of PS.Case No. -200 Year- 2015 Thana -BARARI District- KATIHAR

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1. Manjoor Alam @ Md. Manjoor Alam S/o Sk Hanuj
2. Munna Alam S/o Sk Hanuj
3. Chunna Alam S/o Sk Hanuj All are Resident of Village- Jagdishpur, P.S.-
Barari, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anant Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 05-09-2016 Heard both sides.

The petitioners apprehend their arrest in Barari P.S. Case No. 200/2015, registered for the offences punishable under Section 302 and other sections of the Indian Penal Code.

Sk. Samiruddin the informant alleged that his brother Sk. Hanuj broke the ridge of his field when the informant enquired about the reason of breaking the ridge, Sk. Hanuj, his wife Sara Bano, Abida Khatoon, Manjoor Alam petitioner no. 1, Munna Alam petitioner no. 2 and Chunna Alam petitioner no. 3 assaulted the informant, when Sk. Shamim the son of the informant came to save him Sk. Hanuj assaulted him with spade on his head. The son of the informant died during the course of treatment.

Learned counsel for the petitioners submits that the

allegation of assault on the deceased is made against Sk. Hanuj who is the sole assailant of the deceased. The postmortem report also shows that the deceased got one injury on his head attributed to Sk. Hanuj. Similarly situated co-accused Sara Bano and Abida Khatoon who are the wives of Sk. Hanuj and Manoor Alam petitioner no. 1 have already been granted anticipatory bail vide order passed in Cr. Misc. 10049/2016.

It appears that the case of the petitioners stand on the same footing and the petitioners are not alleged to have assaulted the deceased Sk. Shamim.

Considering the facts aforesaid, 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, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Barari P.S. Case No. 200/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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