

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29889 of 2016

Arising Out of PS.Case No. -376 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Kurban Ansari
 2. Tahir Ansari both are son's Islam Ansari
 3. Ruksana Khatoon @ Rukhsana Khatoon Wife Kurban Ansari
 4. Roshan Khatoon Wife of Tahir Ansari All are resident of village - Talim
Pur, P.S. Madhuban, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s : Mr. Sri Manoj Kumar – 1, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 08-09-2016 Heard both sides.

The petitioners apprehend their arrest in Madhuban P.S.
Case No. 376/2015, registered for the offences punishable under
Section 307 and other sections of the Indian Penal Code.

The informant alleged that Kurban Ansari assaulted him
with Farsa on his head and Tahir Ansari assaulted Naimuddin
Ansari son of the informant with sword on his head. It is further
alleged that other accused person also assaulted the family
member of the informant.

It is submitted that there is counter version bearing Madhuban P.S. Case No. 375/2016 in which Kurban Ansari petitioner no. 1 is the informant. Kurban Ansari also filed complaint case no. 2459/2015 against the informant and his family members.

It is submitted that on account of land dispute there is case and counter case. The injuries are simple in nature. There is no allegation of assault against Ruksana Khatoon petitioner no. 3 and Roshan Khatoon petitioner no. 4 who are the wives of petitioner no. 1 Kurban Ansari and petitioner no. 2 Tahir Ansari respectively.

It appears that informant and his son of course got one sharp cut injury on the head, but the doctor did not opine about the nature of injuries on the person of the informant and his son, but it appears to be simple in nature.

Considering the facts aforesaid and the fact that there is case and counter case and the occurrence took place due to land dispute, 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 Additional Chief Judicial Magistrate IV,
Motihari, East Champaran in connection with Madhuban P.S.
Case No. 376/2015, subject to the conditions as laid down under
Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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