

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30537 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -MAHILA P.S. District- SEKHPURA

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1. Md. Istiyak @ Md. Istak, S/o Md. Munna.
 2. Md. Kalam, S/o Md. Munna.
 3. Md. Ehsan @ Md. Ashan, S/o Md. Munna.
 4. Md. Munna, S/o Late Md. Ali.

All resident of village - Kamasi, P.S. + District Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 26-08-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Sheikhpura (Mahila) P.S. Case No.24 of 2016 registered under Sections 341, 323, 325, 326, 336, 354, 354(a), 379 and 506/34 of the Indian Penal Code.

The allegation of the complainant/informant is that on 05.04.2016 at about 02.30 P.M., her son Md. Sarfaraz was leistering the song on his mobile, then the petitioner no.3 Md. Ehsan alias Md. Ashan forcibly snatched the mobile of her son and fled away. On the next day (06.04.2016), she alongwith her



son went to the house of the accused-petitioner no.3 Md. Ehsan alias Md. Ashan, then all the accused-petitioners refused to return the mobile. At that time, the petitioner no.1 Md. Istiyak alias Md. Istak and petitioner no.2 Md. Kalam pushing her Dupatta dashed her on the ground causing injury on her lip. When Sarfaraz, the son of the complainant/informant tried to save her, the petitioner no.2 Md. Kalam caused injury at his right eye through bricks. When the husband of the complainant/informant came there, he was chased by all the accused-petitioners. Her co-villager Md. Asgar tried to pacify the matter, then the petitioner no.4 Md. Munna caused fracture injury on his right hand. The son of the complainant/informant was treated by Dr. Lakhi whereas Md. Asgar was treated by Orthopedics, Dr. Niraj Kumar Sah at Jamui.

Learned counsel appearing on behalf of the petitioners submits that, in fact, due to some dispute between the family of the complainant/informant and the accused-petitioners, who are next door neighbours, there was hot exchange of words but with an ulterior motive, the complainant/informant filed Complaint Case No.136C of 2016 on 19.04.2016 in the court of the Chief Judicial Magistrate, Sheikhpura, which is the basis of the present F.I.R. It is further submitted that for the occurrence said to be taken place on 05.04.2016/06.04.2016, the complaint case was

filed by the complainant/informant on 19.04.2016 but no injury report has been annexed with the same.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sheikhpura, in connection with Sheikhpura (Mahila) P.S. Case No.24 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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