

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44361 of 2016

Arising Out of PS.Case No. -81 Year- 2016 Thana -AMDABAD District- KATIHAR

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1. Sajema Khatoon @ Sajama Khatoon W/o Md. Basir
 2. Laddu @ Najmul Hasan, S/o Shamshul
 3. Shamshul Haque S/o Ansur
 4. Mohammad @ Md. Hussain S/o Ansaar
 5. Jamil @ Md. Jamil S/o Mohammad @ Md. Hussain
 6. Kuddus S/o Ansur
 7. Hawanoor Khatoon W/o Kuddus All are R/O Balua, P.S.- Amdabad, Distt. Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 24-10-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Amdabad P.S. Case No. 81 of 2016 registered under Sections 341, 323, 324, 504, 307 and 379/34 of the Indian Penal Code.

The accusation is that informant Md. Tahir and his four brothers constructed the Pucca house, in which his brother Jakir promised to pay the expenses of his share after 2-3 months. Sajema Khatoon, wife of Md. Basir Khan said that until the expenses will not be given by Jakir, he will not be permitted to



live in the house. For this reason, on 18.06.2016 at about 8:00 am. Sajma Khatoon, sister-in-law of the informant started quarrelling with his brother Jakir and also she called her Maika people. Thereafter, Ladoo, Shamsool Haque and Mohamad armed with lathi, hasua and rod came there and started assaulting to Jakir. When the informant rushed to save him, he was also assaulted by them. When Bibi Sayana and Jasmera Khatoon, sister-in-law and wife of informant rushed to save him, they were also assaulted. Ladoo with intention to kill gave bamboo blow on his head causing blood oozing injury. In the meantime, they took out cash Rs. 3,24,000/- from the wooden box by breaking lock.

Learned counsel appearing on behalf of the petitioners submits that admittedly, there is land dispute in between the parties. Only two injuries were found on the person of the informant. Further submission is that the matter has already been settled in between the parties and in this regard, a compromise petition has been filed by the parties in the Court of Sri B.K. Choudhary, Judicial Magistrate, 1st Class, Katihar on 18.06.2016.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within

a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Katihar in connection with Amdabad P.S. Case No. 81 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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