

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35190 of 2016

Arising Out of PS.Case No. -133 Year- 2016 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Md. Kalam @ Kalam Miyan son of Late Md. Alam.
 2. Abid Ali son of Md. Kalam.

Both are resident of Mohalla- Kila Mohalla, Police Station- Bettiah Town,
District - West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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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

2 02-09-2016

Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Bettiah Town P. S. Case No. 133 of 2016 registered under
Sections 341, 323, 307, 379 and 504/34 of the Indian Penal Code.

Accusation is that when the informant, Sabir Ali,
was going to attend call of nature, as soon as he reached near the
door of the bathroom, four F.I.R. named accused persons
including the petitioners and four unknown persons came there.
Petitioner no.1 ordered to assault the informant and petitioner no.
2 Abid Ali assaulted with sword on the head of the informant. In
the mean time, co-accused Shaukat Ali also assaulted with iron
rod on the right shoulder of the informant and co-accused
Shamsad Mian snatched a golden chain from his neck.

Learned counsel appearing on behalf of the petitioners submits that petitioners and the informant are neighbors. The informant has stopped the path of the petitioners and not even allowing the petitioners to go to their house. For this, the petitioners approached the competent authority and made complaint against the informant regarding above incident. Due to which, this false case has been registered against the petitioners. Moreover, the allegation against the petitioner no.1 is that he has ordered to assault the informant and petitioner no.2 assaulted the informant. The informant received three injuries caused by hard and blunt substance. The injuries are found to be simple in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P. S. Case No. 133 of 2016, subject to the conditions as laid down under Sections 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J.)

Mishra/-

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