

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42770 of 2016**

Arising Out of PS.Case No. -99 Year- 2016 Thana -SAHKUND District- BHAGALPUR

- =====
1. Md. Mohdish S/o Late Kaushar
  2. Md. Asjaj @ Ajaj Ahmed, S/o Late Abdul Jabbar,
  3. Md. Fajlur Rahman @ Fajlur Rahman S/o Late Abdul Jabbar,
  4. Md. Sarik @ Md. Sharique Alam, S/o Md. Abbas,
  5. Md. Teshower Alam @ Md. Tashowar Alam S/o Late Kuddus &
  6. Md. Aftab @ Aftab S/o Md. Azaz

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

2      24-11-2016                      Heard learned counsel for the petitioners as well as  
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with  
Shahkund P.S. Case No. 99 of 2016 registered under Sections-307,  
379 & other minor sections of the Indian Penal Code.

Petitioners are said to have assaulted the informant  
and others by means of lethal weapons as a result of which, near  
about four persons sustained injury.

There is case and counter case between the parties  
and co-accused Md. Azad lodged Shahkund (Sajaur) P.S. Case  
No. 100 of 2016 for the occurrence of the same day against the  
prosecution party.

Submission on behalf of petitioners is that the accused persons of Shahkund (Sajaur) P.S. Case No. 100 of 2016 have already been granted privilege of anticipatory bail by a coordinate bench of this court vide order dated 22-09-2016 passed in Cr. Misc. No. 38695 of 2016. It is further submitted that persons from both sides, sustained injury and moreover, the injured persons of this case appear to have sustained simple injury. The present occurrence is said to have taken place on account of land dispute and petitioners do not have any criminal antecedent.

Considering the above-said facts and circumstances of the case as well as submission of the parties, this anticipatory bail petition is allowed and it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Shahkund P.S. Case No. 99 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhagalpur subject to condition as laid down u/S 438(2) of the Code of Criminal Procedure Code.

**(Hemant Kumar Srivastava, J)**

A.K.V./-

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