

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53629 of 2016

Arising Out of PS.Case No. -122 Year- 2016 Thana -DIGHWARA District- SARAN

- =====
1. Md. Washim Khan, Son of Nashim Khan,
 2. Mumtaz Kha @ Mutuk, Son of Muslim Kha, both are resident of village - Mirpur, Bhuwal, P.S. Dighwara, District – Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-12-2016

Heard learned counsel for the petitioners and the learned

A.P.P. for the State.

The petitioners apprehend their arrest in connection with Dighwara P.S. Case no. 122 of 2016, registered under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

The accusation is that on 16.07.2016 at about 8.45 P.M. father of the informant was returning to his house then, in the way, Md. Sartaz Kha @ Bablu, Rayaz Kha @ Raja, and Md. Abbash Kha @ Vicky armed with iron rod assaulted him on his hand and leg in which hand and leg of father of the informant fractured. Thereafter, both the petitioners also caused injury to the father of the informant through rod.

Learned counsel for the petitioners submits that there is specific allegation upon co-accused Md. Sartaz Kha @ Bablu, Rayaz



Kha @ Raja, and Md. Abbash Kha @ Vicky armed, to cause fracture injury on the person of the father of the informant. Further submission is that petitioners have falsely implicated in this case with general allegation of causing injury to the father of the informant. Further submission is that, in fact, informant of the present case reached at the door of the petitioners and started abusing to the ladies and due to that reason hot talks were exchanged regarding which Dighwara P.S. Case no. 124 of 2016, under sections 147, 341, 323, 324, 354, 379, 448 and 504 of I.P.C. was instituted on the basis of written report of Md. Sahid Kha.

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) with two sureties of the like amount each to the satisfaction of the A.C.J.M-II, Saran, Chapra in connection with Dighwara P.S. Case No.122 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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