

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39173 of 2016

Arising Out of PS.Case No. -143 Year- 2016 Thana -PARWATTA District- KHAGARIA

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1. Md. Sajjad @ Md. Sajjad Alam
2. Md. Sahali @ Md. Sohli
 Both sons of Md. Kayum @ Md. Chutho
3. Md. Asho, son of Late Md. Wakil Miyan
4. Md. Ayub, son of Md. Asho
 All residents of village - Kulharia, P.S. Parbatta, District -
Khagaria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 23-09-2016 Heard Sri Pawan Kumar Singh, learned counsel,

assisted by Sri Ranjeet Kumar Singh, learned counsel for the

petitioners and learned Addl. Public Prosecutor.

Four petitioners, apprehending their arrest in
Parbatta P.S. Case No.143/2016, G.R. No.1350/2016 registered
for the offence under Sections 447, 341,323, 324, 307, 506/34 of
the Indian Penal Code, have prayed for grant of bail, in the event
of their arrest or surrender.

It was submitted by learned counsel for the
petitioners that land dispute was going on in between the parties
and the informant side of the present case were aggressor and, as

such, petitioners' side i.e. petitioner no.3 filed an F.I.R. vide Parbatta P.S. Case No.142/2016 and thereafter with a view to create defence the present F.I.R. has been lodged. By way of referring to the facts disclosed in the F.I.R. he submits that of course, Section 307 of the Indian Penal Code has been added, the allegation does not corroborate the offence under Section 307 of the Indian Penal Code.

However, keeping in view the fact that there was case and counter case in between the parties as well as nature of accusation, in the event of their arrest or surrender within six weeks from today, let the aforesaid four petitioners, namely, (i) Md. Sajjad @ Md. Sajjad Alam (ii) Md. Sahali @ Md. Sohli (iii) Md. Asho and (iv) Md. Ayub be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Khagaria in connection with Parbatta P.S. Case No.143/2016, G.R. No. 1350/2016, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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