

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15938 of 2016

Arising Out of PS.Case No. -142 Year- 2015 Thana -KHAJAULI District- MADHUBANI

- =====
1. Abdul Razzak @ Md. Razzak son of Md. Hanif
 2. Faiz @ Md. Faiz son of Md. Biltu Both resident of village- Rajiyahi,
P.S.- Khajouli, District- Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-05-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 341, 323, 324, 307, 379, 325, 504, 506/34 of the Indian Penal Code.

Allegation is that on 30.9.2015 when informant was going to the house of his Phupha, the accused persons including petitioners had confined him and abused him and on protest, they assaulted him with axe, rod etc.

It is submitted on behalf of the petitioners that they have got no criminal antecedent. The main allegation of assault on the head of the informant is against one Md. Shamim. As far as petitioners are concerned, they are said to have caused injury on the non-vital part of the body. The present case is counter-blast to Annexure -2 which was instituted much prior to the institution of the present case. The alleged date of occurrence of the present case is said to be 30.9.2015 but the F.I.R. was instituted on 16.10.2015. Delay has not been explained.

On behalf of the State, it is submitted that petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Khajouli P.S. Case no. 142 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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