

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23478 of 2016

Arising Out of PS.Case No. -231 Year- 2014 Thana -BAUSI District- PURNIA

- =====
1. Md. Faisal Son of Son of Ramzan
 2. Shamim Akhtar@Ramzan Son of late Basir.
 3. Kalwa@Khushdil @kalo Son of Ramzan
 4. Durdana @Durri wife of Ramzan

All resident of village Milik tola Police Station Baisi, District Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. L.K. Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 25-05-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 144, 447, 324 and 307 of the Indian Penal Code.

The prosecution case is that in the background of land dispute the accused persons including the petitioners came and assaulted with spear on the head of the informant as a result the informant fell down. On alarm being raised Md. Anwar and Md. Md. Asfaque came to rescue when they were also assaulted.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation

has been levelled. The accusation of assaulting the informant is omnibus and general against five persons when the informant has received four injuries out of which only one injury has been found to be grievous. The son of the informant has received simple injury. There is a counter version of the occurrence also and petitioners' side have also received injury.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the genesis of the occurrence and the accusation being omnibus and general, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Judge II-cum-A.C.J.M., Purnea in connection with Baisi P.S. Case No. 231 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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