

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48327 of 2015

Arising Out of PS.Case No. -145 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Noor Alam Ansari @ Noor Alam Son of Harif Ansari
 2. Rustam alias Kari @ Rustam Ansari son of Isha Mian
 3. Aslam Ansari son of Ishal Mian
 4. Murad Anari son of Noor Alam Ansari
 5. Kaif Ansari son of Aslam Ansari All are residents of Village - Nawka Tola P.S. Raxaul, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii
For the Opposite Party/s : Mr. Indu Kumari Srivastava(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-02-2016 Heard learned counsel for the petitioners and the State as also learned counsel for the informant.

The petitioners are apprehending their arrest in a case instituted under Sections 147, 149, 323, 307 and 504 of the Indian Penal Code.

The prosecution case, in short, is that while the informant along with his family members was working in his field, all the FIR named accused persons arrived there on a Xylo vehicle. The accused persons started abusing and threatening that why they are cutting the ridge of the field. When the informant told that he is not cutting the ridge, the accused persons started assaulting with

rod, lathi, danda and bhala causing serious injury over the head of Kamruddin Ansari, Arse Alam Ansari, Firoj Ansari, Rahman Ansari and Amjun Ansari and there were some unknown persons and ladies with the accused persons.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. As many as six persons are alleged to have been injured in the course of occurrence, but only one person, namely, Rahman Ansari, is said to have sustained grievous injury. No specific injury has been attributed against the petitioners. General and omnibus allegations have been made against the petitioners. There is a case and counter case and land dispute is admitted between the parties. It is further submitted that the other co-accused, namely, Azazul Rahman, has been granted anticipatory bail by this Court vide Cr. Misc. No.45377/2015.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioners are named in the first information report and they have actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on

furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the Sub-divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Raxaul P.S. Case No. 145 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

V.P.Sinha/-

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