

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28318 of 2016

Arising Out of PS.Case No. -242 Year- 2015 Thana -JOKIHAT District- ARRARIA

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1. Md. Siddique S/o Late Sk. Tafaijul
2. Md. Samiruddin S/o Late Sk. Tafaijul
3. Sahabuddin @ Shahauddin S/o Md. Siddique
4. Allauddin @ Md. Alauddin S/o Md. Siddique
5. Noor Hasan @ Md. Noor Hasan @ Noor Hassan S/o Md. Siddique
6. Md. Imamuddin S/o Md. Siddique
7. Md. Ismail S/o Md. Siddique
8. Md. Subhan S/o Samiruddin
9. Md. Qurban S/o Samiruddin All residents of Village Baluwa P.S.
Mahalgaon (Jokihat Gat), District Araria.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-07-2016 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 324, 307, 379. 354B, 504 of the Indian Penal Code.

Prosecution case is that the accused persons including the petitioners came variously armed and started abusing the informant. On protest being made, on the order of the co-accused Md. Siddique, petitioner no.3 Md. Shahabuddin inflicted injury with sword on head of the informant. When the son of the informant Saddam Hussain came to rescue then petitioner no.5 Noor Hassan assaulted him with sword which caused injuries on

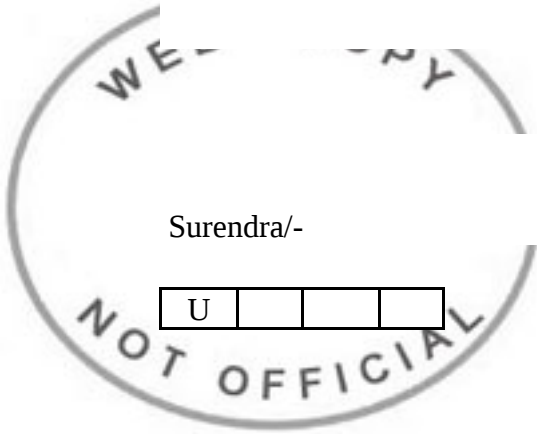


his three fingers and head. When Bibi Nasrin came to rescue then petitioner no.4 Alauddin assaulted her with bamboo and iron rod. The accused persons also took away ornaments. The accused persons also assaulted Rasida Khatoon and tore her clothes and the sister of the informant was also assaulted by the accused persons with iron rod causing injury on her head.

It is submitted by the learned counsel for the petitioners that all the injuries have been found to be simple in nature caused by hard and blunt substance. A statement has been made in paragraph 3 of the application that the petitioners have no criminal antecedent. After completion of investigation the police submitted final report and the petitioners were not sent up for trial but the learned S.D.J.M., Araria on 6.1.2016 differing with the same took cognizance under sections 147, 148, 341, 327, 504, 307/149 of the Indian Penal Code.

Considering the fact that on conclusion of investigation the petitioners were not sent up for trial, let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within a period of twelve weeks from today, 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 the S.D.J.M., Araria in Jokihat (Mahalgaon)

P.S.Case No. 242/2015, subject to the conditions as laid down
under section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

Surendra/-

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