

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.440 of 2016

Arising Out of PS.Case No. -208 Year- 2015 Thana -BAARSOI (R.T) District- KATIHAR

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1. Md. Nahid
 2. Md. babul @ Md. Babul Akhtar
 3. Md. Imtiyaz
 4. Md. Nouhid,
 5. Md. Naiyer, Petitioner Nos. 1 to 5 all are sons of Fazlu Rahman
 6. Md. Rohel
 7. Md. Rahat @ Shamim Petitioner Nos. 7 and 8 both sons of Md. Mojib, petitioner no. 1 to 7 are residents of village - Dabi Shubi, P.S. - Barsoi, District - Katihar.
 8. Md. Gulam @ Md. Gulam Haider, Sonof Jabbar, Resident of Village - Barapokhar, P.S. - Barsoi, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Kishore Singh

For the Opposite Party/s : Mr. A.L.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 08-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,323,324,307,447,427,379,504 and 506 of the Indian Penal Code.

The prosecution case is that the accused persons came variously armed, damaged the thatched house of the informant and assaulted the informant. On protest co

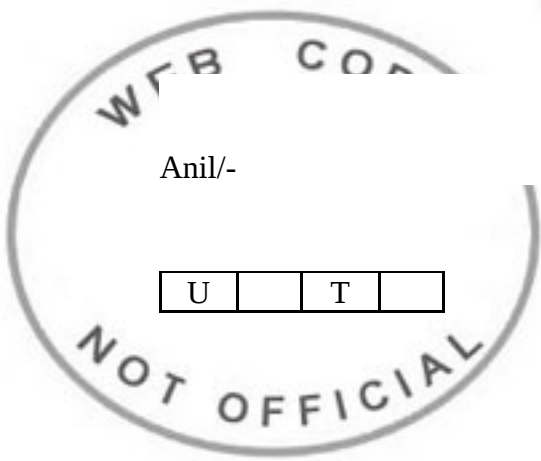
accused Tanveer Samsi ave repeated blows with Dabia on the head of the informant. The accused persons snatched rupees thirty thousand from the informant.

It is submitted by the learned counsel for the petitioners that the accusation of specific assault is against Tanveer who is not the petitioner. In the background of land dispute the accusation has been levelled and most of the injuries are either simple or opinion has been kept reserved. There is counter version of the occurrence and several persons of the petitioners side have also received injury. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that specific accusation of assault is against co accused Tanveer and the accusation has been levelled in the background of land dispute, 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 bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Katihar in connection with Barsoi P.S. Case No. 208 of 2015 subject to the conditions as laid down



under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)