

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53989 of 2016

Arising Out of PS.Case No. -124 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

- =====
1. Shahzade Kasab, Son of Haider Kasab,
 2. Irshad Kasab, Son of Haider Kasab,
 3. Naushad Kasab, Son of Haider Kasab, All Resident of Mohalla-Shah
Supan P.S.-Lajeria Sarai, District-Darbhanga

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Laheriasarai P.S. Case no.124 of 2016, registered under Sections
147, 148, 341, 323, 307, 379, 385, 504 and 506 of the Indian Penal
Code.

The accusation is that 09 accused persons named in the
F.I.R., including the petitioners, came at the door of the informant Md.
Sitare variously armed with weapons. When the informant rushed
towards his courtyard to save him then all the accused entered in the
courtyard. On the order of petitioner No.1 Shahzade Kasab, petitioner
No.3 Naushad Kasab caused grievous injury through 'Bhujali' at his
head. Mustak, Haider and petitioner No.1 Shahzade Kasab also
caused injury through iron rod then he fell down. When his sister-in-
law rushed to save then she was also assaulted by Amzad through
rod. At that time, all the accused looted the household articles worth



of Rs. 1,50,000/- from the house of the informant.

Learned counsel for the petitioners submits that while petitioner no.2 is named in the accused column, but his name has not been disclosed in the written, which is the basis of the F.I.R. Further submission is that there is specific allegation against the petitioner No.3 to cause injury through Bhujali and also against petitioner No. 1 Shahzade Kasab to cause injury through rod to the informant, but only one lacerated injury found over the partial region, which is simple in nature and no injury was sustained by the sister-in-law of the informant. Further submission is that, in fact, hot talks were exchanged due to land dispute, but with ulterior motive, the present case has been lodged. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four 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 the Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 124 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

