

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54205 of 2016

Arising Out of PS.Case No. -126 Year- 2016 Thana -HATHUA District- GOPALGANJ

- =====
1. Kamal Akhtar @ Diamond @ Kamal Akhtar Siddiqui, S/o Jamil Akhtar @ Jamil Akhtar Siddiqui.
 2. Madina Begum @ Madhu Akhtar, W/o Jamil Akhtar @ Jamil Akhtar Siddiqui.
 3. Jamil Akhtar @ Jamil Akhtar Siddiqui, S/o Late Abul Akbar Siddiqui.
 4. Parwej Akhtar, S/o Jamil Akhtar @ Jamil Akhtar Siddiqui
 5. Suhail Akhtar, S/o Jamil Akhtar @ Jamil Akhtar Siddiqui. All are residents of Village- Barwa Kaparpura, P.S.- Hathua, Distt.- Gopalganj.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Verma
For the Opposite Party/s : Mr. Satyavarat Verma

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Hathua P.S. Case No. 126 of 2016 corresponding to G.R. No. 1846 of 2016 for the offences instituted under Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code.

The allegation against the petitioners is that they along with other accused persons visited the house of the informant and asked questions with regard to construction of a house on a residential plot belonging to him. It is further alleged that after



getting the reply from the informant, the accused persons started abusing the informant and Jamil Akhtar and Yusuf Mian ordered the other accused persons to kill the informant. Thereafter Suhail Akhtar pulled out a knife from his pocket and assaulted the informant resulting pain and injury on the elbow of the informant. It is also alleged that Parwej Akhtar and Kamal Akhtar assaulted the informant with fist and in such a situation, Madhu Khatoon also assaulted the informant and gave him blows in the chest with her leg. Further Noori Khatoon and Soni Khatoon dragged the feet of the informant and taken Rs. 3000/- from his pocket. Thereafter the accused persons fled away from the site.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. It is a case and counter case between the parties. The injury report of Jahangir Ahmad was reserved for the x-ray but since no x-ray was carried out in respect to the injuries, hence the nature of injury has been opined by the doctor to be simple. There is a Title Suit also pending between the parties.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let



the petitioners above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Hathua P.S. Case No. 126 of 2016 corresponding to G.R. No. 1846 of 2016 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-5th, Gopalganj subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

Amit/-

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

