

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44975 of 2016

Arising Out of PS.Case No. -230 Year- 2016 Thana -KRITYANAND NAGAR District- -

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1. Md. Haider, S/o Md. Riyaz
2. Md. Moiz S/o Mazid
3. Md. Kasib S/o Moiz
4. Md. Ehtasan S/o Siraz
5. Md. Murshid S/o Md. Moin All are resident of Village- Moglaha, P.S.- K.Nagar, District- Purnea.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate
For the State : Mr. Gopesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 08-12-2016 Supplementary affidavit is filed on behalf of the petitioners.

Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State assisted by learned counsel for the informant.

Petitioners apprehend their arrest in connection with K. Nagar P.S. Case No.230 of 2016 for the offences registered under section 307 and other minor Sections of the Indian Penal Code.

The first information report goes to show that specific allegation of assault is against Md. Reyaz and so far as petitioners and other accused are concerned, an omnibus allegation of assault



has been levelled against them. In the present case, it appears that three persons sustained injury and except injured Nurul Hoda both the above stated injured are said to have sustained simple injury. So far as injured Nurul Hoda is concerned, altogether two injuries were found on his person and one injury was found grievous in nature and the aforesaid injury was on his mandible.

Submission on behalf of the petitioners is that there is counter case also and, as a matter of fact, on the alleged date of occurrence, it was prosecution party, who assaulted the informant and others of K. Nagar P.S. Case No.229 of 2016.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let petitioners above named, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, let the petitioner 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 Additional Chief Judicial Magistrate, Ist, Purnea in K. Nagar P.S. Case no. 230 of 2016 subject to condition as laid down under section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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