

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1766 of 2016

Arising Out of PS.Case No. -93 Year- 2015 Thana -LADANIA District- MADHUBANI

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1. Md. Nasir Uddin Son of Late Hafiz Mohammad Idrish, resident of Village
Piparahi, P.S. Ladaniya, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 14-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections
147,149,323,341,307,379,506,324 and 385 of the Indian Penal
Code.

The prosecution case is that when the informant made
protest for plucking mango from his orchard then the accused
persons started assaulting him. When Md. Reshad, Md. Naushad,
Md. Sanaullah, Md. Sakil Ahmad and Md. Irshad came to rescue
then Jahiruddin, Md. Moinuddin and Md. Tajuddin assaulted Md.
Naushad, Md. Reshad and Md. Sanaullah. It is alleged against the
petitioner that he put pistol on the chest of Md. Irshad and
snatched forty five thousand rupees.

It is submitted by the learned counsel for the petitioner that specific accusation of assault has not been levelled against the petitioner. There is counter version of the occurrence and the informant side received simple injury whereas the petitioner side received grievous injury. The informant was disputing the title and possession of the orchard which has been recorded in the revenue records in favour of the petitioner side. Though the petitioner is accused in two other cases but he is on bail in those cases.

Considering the nature of accusation and the genesis of occurrence, let the above named petitioner 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) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Madhubani, in connection with Ladaniya P.S. Case No.93 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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