

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4039 of 2016

Arising Out of PS.Case No. -252 Year- 2015 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Islam Mian S/O Late Gaffar Mian
 2. Aslam Mian S/O Late Gaffar Mian
 3. Ejaj Mian S/O Islam Mian
 4. Sajjad Mian @ Sejjaj Ansari S/O Islam Mian
 5. Nasim Mian S/O Aslam Mian

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. B.M.P Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2016 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case
registered for the offences punishable under Section341, 323, 307
and 504/34 of the Indian Penal Code.

Prosecution case is that six accused persons including
the petitioners assaulted the informant when son of the informant
came to rescue then he was also assaulted.

It is submitted by learned counsel for the petitioners

that accusation is omnibus and general levelled in the background of Title Suit No.86/2001 pending between the parties. There is counter version of the occurrence also being Shikarpur P.S. Case No.288/2015.

Furthermore, the injury of the informant has been found to be simple and none of the injured have received any grievous injury. Statements to that effect have been made in paragraphs 10 and 11 of the petition, which read as :

"10. That during the course of investigation, it has come that the informant has sustained only simple injury."

11. That it is relevant to state it here that none has sustained any grievous/serious injury during the course of alleged occurrence."

Further statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the accusation being omnibus and general in the background of land dispute between the parties, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, West

Champan at Bettiah in connection with Shikarpur P.S. Case
No.252/2015, subject to the conditions as laid down under
Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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