

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48803 of 2015

Arising Out of PS.Case No. -65 Year- 2015 Thana -MARKAHI District- KHAGARIA

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1. Md. Samshad Son of Md. Iliyash,
 2. Md. Rizwan, Son of Md. Samid,
 3. Md. Sufiyan, Son of Md. Samid,
 4. Md. Gaffar, Son of Md. Samid, null
 5. Md. Hasin, Son of Md. Sattar,
 6. Md. Alam Rahi, Son of Md. Samid, All Resident of village - Rsaukha,
P.S. - Morkahi, District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ebrahim Kabir
For the Opposite Party/s : Mr. Sanjay Kr.Tiwary,A.P.P.
For the Informant : Mr. Vikramdeo Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-02-2016 Heard learned counsel for the petitioners, the informant
and the State.

The petitioners are apprehending their arrest in connection with Morkahi P.S.Case no. 65 of 2015 instituted under Sections 323, 341, 504, 506, 307, 325, 337, 379, 341 and 34 of the Indian Penal Code.

The prosecution story in short is that on 26.07.2015 near Jeep Stand the petitioners abused the informant (Md. Ahtesham) while he was going to market. Petitioner Md. Alam Rahi ordered to kill and further he assaulted the informant on his nose by brick. Then the accused persons assaulted him by brick, Lathi, Fat and Iron rod as a result of which the informant sustained fracture injury on his hand. Petitioner Suffiyan took Rs. 5000/- from the pocket of the informant. Petitioner Md. Sattar also

assaulted Md. Hamid and Md. Abid when they got down from vehicle at stand.

It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent. It is a case and counter case. Counter case is Annexure 2 to the present application. Due to petty reason brick batting took place between the parties and both sides sustained injuries. No specific injury has been attributed against the petitioners. General and omnibus allegation has been made against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the FIR and they have actively participated in the alleged occurrence.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M.,Khagaria in connection with Morkahi P.S.Case No. 65 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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