

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.92 of 2016

Arising Out of PS.Case No. -16 Year- 2015 Thana -AMAUR District- PURNIA

- =====
1. Md. Salmuddin @ Salmuddin Son of Irshad
 2. Md. Abuwa Son of Salmuddin

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. U.S.P.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 379 and 504 of the Indian Penal Code.

The prosecution case is that all the accused persons including the petitioners came variously armed came to disputed homestead land when co-accused Hashim ordered to kill whereupon co-accused Abdul Subhan assaulted with spear on the back of the informant. It is further alleged that when family members of the informant came to rescue then all the accused persons assaulted with bamboos stick to them whereas co-accused Kamura assaulted with 'fatta' on the head of Sairun Nishan. It is also alleged that co-accused Hashim snatched a

silver chain from the neck of Sairun Nisha.

It is submitted by learned counsel for the petitioners that accusation is omnibus and general. Accusation of assault is not specific against the petitioners. Specific accusation of assault is against Abdul Subhan and Mamura. There is counter versions of the occurrence and from the petitioners' side some of the persons have received grievous injuries. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, 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 Judicial Magistrate, 1st Class, Purnea in connection with Amour P.S. Case No.16/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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