

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57887 of 2015

Arising Out of PS.Case No. -153 Year- 2015 Thana -BISFI District- MADHUBANI

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Md. Momtaz @ Md. Mumtaz S/o late Habibuv Resident of Village -
Aunshi, Naya tola, P.s Bisfi, District Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate

For the Opposite Party : Mr. M.Haque, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-03-2016 Heard learned counsel for the petitioner, counsel for the
Informant and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Bisfi P.S. Case No. 153 of 2015 for the offences instituted under Sections 341, 323, 324, 380, 307, 448 and 504/34 of the Indian Penal Code.

As per the prosecution case, it is a case of assault upon the informant with iron rod as also fists slaps and *lathi* by the accused persons due to previous enmity between the parties.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is a case and a counter case. There is admitted land dispute between the parties. The case of the petitioner was instituted prior to the institution of the

counter case by the informant. Petitioner's side had also sustained injury. The said injury has not been explained by the prosecution.

On behalf of the State and the counsel for the Informant, it has been submitted that the petitioner is named in the F.I.R and he has actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Bisfi P.S. Case No. 153 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Shri R.K.Rajjak, J.M. Ist Class, Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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