

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40113 of 2016

Arising Out of PS.Case No. -103 Year- 2016 Thana -MANIHARI District- KATIHAR

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1. Md. Mahid @ Sk. Mahid, Son of Late SK. Shamsuddin.
2. Md. Kalimuddin @ Kalu, Son of Late SK. Shamsuddin. Both Resident of
Naya Tola Bhadurpur, P.S. Manihari, District- Katihar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Md. Musowir, Advocate.

For the Opposite Party : Mr. Binod Kumar 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-12-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Manihari P.S. Case No. 103 of 2016 for the offences instituted under Sections 147, 148, 149, 341, 323, 324 and 307 of the IPC.

The prosecution story, in brief, is that on 11.05.2016 at about 1.00 P.M., while the informant was fencing Tatti on his land in the meantime, the petitioners alongwith others having with deadly weapons assaulted the informant. Co-accused Shajahan assaulted on the head of the informant with Lathi due to which, he sustained injury and also assaulted Mazhar, the nephew of the



informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. It is a case and counter-case between the parties. Both sides are said to have been injured in course of free fight. There is land dispute between the parties. The allegation is of causing injury by hard and blunt substance as to when the injuries are said to be incised wound.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Manihari P.S. Case No. 103/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

