

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38695 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -SAHKUND District- BHAGALPUR

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1. Md. Istiyak
 2. Md. Sadik
 3. Md. Rasid @ Rasid Miyan All sons of Late Hazi Jahangir
 4. Md. Murgub @ Md. Margoob, son of Md. Mahmood
 5. Md. Danish son of Md. Mahmood
 6. Md. Konen son of Md. Balal, All resident of Village- Dauna, P.S.-
Sajaur, District- Bhagalpur.
 - 7.Md. Ashraf son of Md. Mansoor, resident of Village- Rasula, P.S.-
Shahkund, District- Bhagalpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Ramchandra Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-09-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Shahkund (Sajaur) P.S. Case No.100 of 2016, registered under Sections 147, 148, 149, 323, 324, 307, 337, 379, 427, 504 and 506 of the Indian Penal Code.

The accusation is that 11 persons named in the F.I.R., including the petitioners, came at the house of the informant, where petitioner no.1 Md. Istiyak gave three iron rod blow at his head and also started to abuse anyhow, informant rushed inside the road to save himself. When Md. Tasauwar tried to save informant then he was also assaulted by petitioner no.2 through iron rod causing injury on his head. At that time petitioner No. 3 Md. Rasid and Md. Nawed

took cash of Rs. 18,000/- and golden chain worth of Rs. 35,000/- after breaking the box.

Learned counsel for the petitioners submits that there is general allegation against the petitioners, who reached at the house of the informant armed with lathi, stick and iron rod, where petitioner no.1 caused injury at the head of the informant. The injuries found on the person of the informant are simple in nature. Further submission is that, in fact, the occurrence of Marpit took place due to land dispute in which petitioners have also sustained injuries and on the basis of fardbeyan of petitioner no. 1 Md. Istiyak, Shahkund (Sahkund) P.S. Case No.99 of 2016, registered under Sections 147, 148, 149, 323, 324, 307, 379, 337, 427, 504 and 506 of the Indian Penal Code was instituted.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Shahkund (Sajour) P.S. Case No. 100 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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