

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19973 of 2016

Arising Out of PS.Case No. -326 Year- 2015 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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1. Md. Fahim S/o Late Md. Rajjak
2. Md. Karim @ Munna @ Abdul Karim S/o Late Md. Rajjak
3. Md. Allauddin @ Allauddin S/o Late Md. Hussain All are Resident of
village- Bariyarpur, Sekh Tola, P.S.- Vaishali, District- Vaishali
..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. Sanjay Kumar Sharma(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 05-05-2016

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, 149, 341, 323, 324, 379, 307, 354, 427, 504 of the Indian Penal Code.

The prosecution case is that on 09.10.2015 the informant's nephew was irrigating paddy crops when Md. Samir @ Chhote cut the water pipe thereafter the informant went to the house of Samir to enquire about the matter then accused Samir and all his family members started abusing the informant and all the accused persons surrounded the informant with deadly weapons and Md. Alaudin, petitioner No.3, inflicted Chaper, a sharp cutting weapon, blow on her head causing injury. Md. Fahim, petitioner No.1, assaulted the informant with iron rod causing injury on her right hand and Mr. Karim, petitioner No.2, tied rope in the neck of informant and dragged her and other

accused persons assaulted her with fists and slaps. The accused persons also assaulted nephew of informant, Md. Jauhar. It is further alleged that Md. Samir snatched golden chain worth Rs. 30,000/- from the informant.

It is submitted by the learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. The injuries of the informant have been found to be simple in nature. There is counter version of the occurrence in which wife of petitioner No.3 has received grievous injuries. Statement has been 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 326 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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