

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27917 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -AMBA District- AURANGABAD

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1. Md. Soaib S/o Late Md. Ashique Hussain
 2. Khalil S/o Sah Mohammad
 3. Shahnaz Bano W/o Md. Soaib
 4. Khairu Nisha @ Khairun Nisa W/o Md. Ayub All are resident of Village- Mansara, P.S.- Amba, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Binod Kumar 3, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 23-09-2016 Heard both sides.

The petitioner apprehends his arrest in Amba P.S. Case No. 07/2016, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code.

The informant named the petitioners and alleged that the petitioners assaulted the informant and others. Petitioner no. 3 Shahnaz Bano and petitioner 4 Khairu Nisha are alleged to have assaulted Md. Shaklain. Md. Saklain got swelling injury on hand.

It is submitted that there is counter version bearing Amba P.S. Case No. 06/2016. Both sides are agnates and the occurrence took place due to land dispute. There is no specific allegation of assault against the petitioner no. 1 Md. Soaib and petitioner no. 2 Khalil. Other sides have already been granted

anticipatory bail in Amba P.S. Case No. 06/2016.

Learned A.P.P. however, opposed the prayer for anticipatory bail and submitted that Shahnaz Bano and Khairu Nisha are alleged to have been assaulted Shaklain. There was injury on hand.

It appears that Shahnaz Bano and Khairu Nisha are alleged to have assaulted Shaklain with Katar, but the injury found on the hand is caused by hard and blunt object. There is no specific allegation of assault against Md. Soaib and Khalil.

Considering the facts aforesaid and the fact that occurrence took place due to land dispute, the petitioners are family members of the informant, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Amba P.S. Case No. 07/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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