

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41624 of 2015

Arising Out of PS.Case No. -143 Year- 2015 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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1. Md. Latifan Mian @ Latif Mian son of Late Bihari Mian,
2. Md. Rabban, Son of Latifan Mian Both resident of Village- Gora, P.S.
Kusheshwar Asthan, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 25-02-2016 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Kusheshwar Asthan P.S. Case No. 143 of 2015, registered for offences punishable under Sections 147, 148, 149, 448, 241, 232, 308, 436 and 504 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner no. 1 is the own full brother of the informant and the petitioner no. 2 is the nephew of the informant. It is further submitted that although there is an allegation that these petitioners have inflicted a *farsa* blow on the informant and the injury caused thereon was grievous in nature, yet there was no intention to kill as the matter arose on account of a petty dispute regarding preparing *Topra* for keeping husk on the land of the petitioners, which was being

claimed by the informant. It is submitted on behalf of the petitioners that there is a land dispute between the parties and allegation with regard to Section 436 was found to be untrue.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that though the injuries were grievous in nature, there were no repetition of blows and the informant and petitioner side have litigating and are also close family members.

Considering the aforementioned facts and circumstances and that the petitioners have no criminal antecedent, let 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, be enlarged on bail on furnishing bond of Rs. 10,000 (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M, Biraul, District - Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 143 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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