

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43762 of 2016

Arising Out of PS.Case No. -156 Year- 2016 Thana -KHAJAULI District- MADHUBANI

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1. Md. Samim, S/o Hanif.
 2. Md. Chand Ali, S/o Yunus.
 3. Md. Yunus, S/o Hanif.
 4. Md. Rafique, S/o Basir.
 5. Md. Hasim, S/o Md. Yunus.
 6. Md. Harun, S/o Md. Basir.
 7. Md. Tahir, S/o Md. Hanif.
- All Resident of Village- Navtolia, P.S.- Khajauli, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 20-10-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Khajauli P.S. Case No.156 of 2016 registered under Sections 147,
341, 323, 324, 307, 354, 379, 504 and 506 of the Indian Penal
Code.

The accusation is that when the informant Ali
Mohammad on 29.07.2016 at about 01.00 P.M. alongwith his wife
Sayeeda Khatoon and brother Md. Nazim were coming from pond
after taking bath, the petitioners met them and, thereafter, the



petitioner no.1 Md. Samim abusing the informant started folding Gamchha into his neck. At that time, the petitioner no.2 Md. Chand Ali caused injury on the head of the informant with Tengari. When Sayeeda Khatoon, the wife of the informant came, the petitioner no.3 Md. Yunus assaulted her with dabia causing head injury on her head and in that course, the petitioner no.4 Md. Rafique assaulted her with Tengari causing injury on her hand. The petitioner no.5 Md. Hasim assaulted Md. Nazim, the cousin brother of the informant, with dabia on his head and back causing blood oozing injuries to him. At that time, the petitioner no.6 Md. Harun snatched the silver chain from the neck of the wife of the informant.

Learned counsel appearing on behalf of the petitioners submits that, in fact, due to election rivalry, the petitioners have falsely been implicated in this case. Moreover, the injuries, as found on the person of the informant and his wife, were found simple in nature except injury nos.2 and 4 of the informant regarding which opinion was kept reserved but further no opinion was received by the Investigating Officer.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on

bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Vivek Vishal, Judicial Magistrate, First Class, Madhubani, in connection with Khajauli P.S. Case No.156 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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