

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13756 of 2016

Arising Out of PS.Case No. -221 Year- 2015 Thana -SURSAND District- SITAMARHI

- =====
1. Usman Khan, Son of Manir Khan,
 2. Nepali khan, Son of Usman Khan Both Resident of Village- Kumbha,
P.S- Sursand, Dist- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Anand Kumar

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-04-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Sursand
P.S. Case No. 221 of 2015, registered under Sections 147, 148,
149, 341, 323, 307, 302, 504 and 506 of the Indian Penal Code.

The accusation is that 13 persons including the
petitioners came at the door of the informant and started abusing
Samal Khan, father of the informant and also caused assault
through iron rod, Khanti, Sabul and stick, when Salamuddin,
brother of the informant rushed to save him, he was also
assaulted. The injured were rushed for the treatment in Sadar
Hospital, where Samal Khan, father of the informant died.

Learned counsel for the petitioner submits that the

allegation is general and omnibus in nature against the petitioners and others to cause injury to the deceased. Admittedly, due to land dispute the occurrence took place in which petitioners were also sustained injuries regarding which Sursand P.S. Case No. 218 of 2015 was instituted under Section 341, 323, 324, 504/34 of the Indian Penal Code on the basis of written report of co-accused Sakila Khatoon. Further submission is that similarly situated co-accused Md. Arse Khan, Md. Mustaque Khan, Md. Kauhsar Khan and Saidar Khan have already been granted privilege of bail by a co-ordinate Bench of this Court vide order dated 11.03.2016 passed in Criminal Misc. No. 1652 of 2016 and 6143 of 2016, respectively.

Having regard to the facts and the circumstances of the case, the petitioners above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in connection with Sursand P.S. Case No. 221 of 2015.

(Rajendra Kumar Mishra, J)

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