

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18880 of 2016

Arising Out of PS.Case No. -402 Year- 2015 Thana -SAUR BAZAR District- SAHARSA

- =====
1. Md. Mojal @ Md. Mujal @ Md. Majal @ Md. Jamal S/o Md. Shariff All
are resident of Village- Lahona, P.S.- Saur Bazar, District- Saharsa.
2. Md. Juman @ Md. Shamsheer @ Jumman S/o Md. Majal
3. Md. Mintu @ Imtiyaz S/o Md. Ajim

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate
For the Opposite Party/s Mr. Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 06-05-2016

Heard learned counsel appearing on behalf of the
petitioners and learned Addl. Public Prosecutor, appearing on
behalf of the State.

This application for grant of anticipatory bail arises
out of Saur Bazar P.S. Case No. 402 of 2015, disclosing offences
under Sections 307, 380, 504, 506, 323, 324, 341, 147, 148, and
149 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
in the alleged occurrence, four persons on the side of these
petitioners received injuries. He has submitted that though there is
allegation against the accused persons of the present case of
assault caused by iron rod and sharp cutting weapon, the injuries
have been found to be simple in nature. He has submitted that no

offence under Section 307 of the Indian Penal Code is made out on the basis of allegations, as contained in F.I.R. So far as allegation of committing theft of sarees, clothes and cash is concerned, the same is apparently ornamental he contends. He has also submitted that land dispute is the apparent reason behind the occurrence which had taken place. It has been stated in paragraph 3 of the application that the petitioners has no criminal antecedent.

Considering the above, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa, in Sour Bazar P.S. Case No. 402 of 2015, subject to the conditons as laid down under Section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners shall present themselves before the police/court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutives occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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