

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35083 of 2017

Arising Out of PS.Case No. -88 Year- 2017 Thana -SINGHIYA District- SAMASTIPUR

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1. Md. Rahmat Son of Md. Wali @ Md. Oli
2. Md. Ajmat Son of Md. Wali @ Md. Oli Both residents of Village -
Sonma, P.S. - Singhiya, District - Samastipur (Bihar).

.... 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 JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 14-09-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since
05.06.2017 in connection with Singhiya P.S. Case No. 88 of 2017
for offences punishable under Sections 147, 149, 341, 307, 323,
427, 379, 504 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he, his father Md. Phool Hasan and brother Md. Zahoor
Hasan along with cousin brother was returning home after
ploughing his eight katha land the petitioners along with four other
accused persons armed with Farsa assaulted his father, brother and
also assaulted the informant and other family members and
damaged his motorcycle.



It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and because of land dispute the said occurrence is alleged to have taken place. He submits that injury found on the father and brother of the informant has been assessed as simple in nature except injury no. 6 on the informant's father which is on the shoulder and not on the vital part of the body for which opinion has been reserved. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioners.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Vth Rosera, Samastipur in connection with Singhiya P.S. Case No. 88 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioners having sufficient immovable property within the jurisdiction of the concerned police station/court, who will file an affidavit stating his relationship with the



petitioners and that petitioners will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

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