IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53987 of 2017

Arising Out of PS.Case No. -65 Year- 2017 Thana -SRI NAGAR District- MADHEPURA

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1. Md. Ibrahim, Son of Late Md. Hafiz.
2. Md. Mustaque, Son of Md. Ibrahim, Both resident of Village- Ghordaul, Police Station- Srinagar, District- Madhepura. .... Petitioners.

Versus

The State of Bihar. .... Opposite Party.

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Appearance :
For the Petitioner/s : Mr. Uday Chand Prasad, Adv.
Mr. Manoj Kumar, Adv.
For the Opposite Party/s : Smt. Anita Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 13-11-2017 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in Srinagar P.S. Case No. 65 of 2017 registered under Sections 341, 323, 324, 354, 504 & 307/34 of the Indian Penal Code.

As per the prosecution case, petitioners and other accused persons are said to have assaulted the informant and his wife & others by means of lathi, while accused Md. Juber is said to have assaulted on the head of the informant by means of farsa.

It is submitted by learned counsel for the petitioners that the allegation of assaulting the informant, his wife & others levelled against the petitioners is not specific rather general and omnibus in nature. Though the injury of the informant is simple in nature and the injury on the other two victims, namely, wife of the informant

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and Md. Rustam are grievous but as there were 12 accused persons in the occurrence the author of the said injury is uncertain. There is case and counter case between the parties. The petitioners have been languishing in custody since 28.08.2017.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Madhepura in connection with Srinagar P.S. Case No.65 of 2017.

(Prakash Chandra Jaiswal, J)

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