

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29434 of 2017

Arising Out of PS.Case No. -150 Year- 2016 Thana -SANGRAMPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Sabir Khan Son of Zaul Khan
2. Tabrej Khan son of Sabir Khan
3. Ruksana Khatoon wife of Sabir Khan All are residents of village
Dariyapur - II, P.S. - Sangrampur, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 19-08-2017 Learned counsel for the petitioners submits that he may be permitted to correct the father's name of petitioner no. 2 Tabrez Khan. The father's name of petitioner no. 2 is Sabir Khan but due to inadvertence Jawed Khan has wrongly been typed. Accordingly, learned counsel for the petitioners is permitted to make correction in the father's name of petitioner no. 2 during course of the day.

Heard both sides.

The petitioners apprehend their arrest in Sangrampur P.S. Case No. 150 of 2016 registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504 and 34 of the Indian



Penal Code.

The informant named the petitioners and alleged that the accused persons came having armed with weapons and assaulted her son Pyare Khan. The informant alleged that Sabir Khan assaulted Pyare Khan with iron rod on her son. When the younger son of the informant came, Tabrez Khan petitioner no. 2 is alleged to have twisted his hand and broken his hand.

Learned counsel for the petitioners submits that petitioner no. 1 Sabir Khan and the husband of the informant namely Kabir Khan are own brothers. Some dispute arose between the two brothers and scuffle took place. From the side of the petitioners also Sangrampur P.S. Case No. 165 of 2016 was registered. Two sons of the informant got simple injuries. Sadab Khan, the younger son of the informant, did not get any grievous injury nor his hand was broken.

Considering the facts aforesaid and nature of allegations made against the petitioners and the facts that the petitioners are own brother, nephew and wife of brother of the husband of the informant, the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order 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 learned Additional Chief Judicial Magistrate 14th Motihari, East Champaran in Sangrampur P.S. Case No. 150 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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