

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 26189 of 2017

Arising Out of PS.Case No. -48 Year- 2016 Thana -KAJRAILICHAK District- BHAGALPUR

- =====
1. Md. Akhtar @ Md. Akhtar Ali,
 2. Md. Afsar @ Md. Afsar Ali, Both sons of Late Shamim Ali, Residents of Village- Kajraili, Police Station- Kajraili, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Advocate
For the State : Mr. Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 01-07-2017

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in Kajraili P.S. Case
No. 48 of 2016 dated 06.12.2016 instituted under Sections
341/323/324/307/379/279/354B/34 of the Indian Penal Code.

3. The petitioners are nephews of the informant and
living in the same ancestral house. The allegation against them is
that initially they dragged the daughter of the informant and assaulted
her with fists and later on by sword and rod.

4. Learned counsel for the petitioners submitted that due



to petty family dispute, as they are agnates and residing in the same house, slight scuffle took place. It was submitted that even the injury report discloses that it was caused by hard blunt substance and there is no grievous injury. Learned counsel submitted that in the heat of the moment, some incident may have happened but there was no pre-mediated intention for the same. Learned counsel further submitted that the petitioners have no criminal antecedent.

5. Learned A.P.P. submitted that there is allegation of assault against the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-14, Bhagalpur in Kajraili P.S. Case No. 48 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners. The petitioners shall also give an undertaking to the Court that they shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation



of their bail bonds.

(Ahsanuddin Amanullah, J.)

P. Kumar

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