

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30139 of 2017

Arising Out of PS.Case No. -42 Year- 2017 Thana -MAJHAHGARH District- GOPALGANJ

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1. Mohammad Muslim Siddique @ Mohammad Muslim @ Muslim Miya @ Siddique Mohammad Muslim, Son of Late Hamim Miya @ Abdul Hamim,
 2. Jakaullah, Son of Attiulla Miya @ Balister Miya.
 3. Umar Ali @ Bhola Miya, Son of Late Yashin Miya,
All resident of Village- Dhamapakar, P.S.- Manjhagarh, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashish Giri, advocate.

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 06-07-2017 Heard learned counsels for the petitioners and the State.

The petitioners apprehend their arrest in connection with Manjhagarh P. S. Case No. 42 of 2017 instituted under Sections 307, 323, 341, 354 and 504/34 of the Indian Penal Code.

The allegation, in brief, is that accused persons including the petitioners have assaulted the informant and the specific allegation against Jakaullah (Petitioner no. 2) is that he gave a *Farsa* blow over the head of the informant and when his wife and others came to rescue him, they were also assaulted.

Learned counsel for the petitioners submits that in fact the petitioners were assaulted by the informant's side causing grievous injury and on 08.03.2017, FIR was lodged against the



informant's side, but after lapse of 13 days, on thought this case has been lodged belatedly without giving any reason. He submits that so-called injury on the person of the informant was found simple in nature.

Learned counsel appearing on behalf of the opposite parties submits that it is a case under Section 307 of the Indian Penal Code and there is specific allegation against the petitioner no. 2.

Having considered the aforesaid facts and circumstances, the present case has been lodged after a delay of 13 days without any reasonable explanation, the petitioners, namely, Mohammad Muslim Siddique @ Mohammad Muslim @ Muslim Miya @ Siddique Mohammad Muslim, Jakaullah and Umar Ali @ Bhola Miya in the event of arrest or surrender before the court below within four weeks from today, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S.Case No. 42 of 2017; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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