

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48391 of 2017

Arising Out of PS.Case No. -156 Year- 2017 Thana -BAHADURGANJ District- KISANGANJ

- =====
1. Hakimuddin @ Md. Hakimuddin.
 2. Rakimuddin.
Both sons of Late Md. Harri, Residents of Village- Laucha, P.S.-
Bahadarganj, District- Kishanganj.

.... 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 MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 16-10-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Bahadurganj P.S. Case No.156 of 2017 registered under Sections
341, 323, 324, 325, 307, 379, 504 and 506/34 of the Indian Penal
Code.

The accusation is that when the informant Enamul Haque
was plucking the mango from his mango orchard, at that time, all
the named accused including the petitioners armed with weapons
came there and started to cause assault through fists and slaps.
When Habebul Rahman, Ataul Rahman and Kamrujamma, the



brothers of the informant, and Dilawar Hussain rushed to save the him then Ismail caused injury at the forehead of Habebul Rahman. Thereafter, Md. Sadik alias Guddu caused injury at the forehead of Kamrujamma through iron rod, as a result of which he became unconscious and injured. Md. Afroj caused injury at the leg of Ataul Rahman through iron rod. Shahid Alam and Jahid Alam threatened to Dilawar Hussain pointing Gupti and Shahid Alam caused injury through Gupti at the scalp of Dilawar Hussain.

Learned counsel appearing on behalf of the petitioners submits that while the petitioners are named in the F.I.R. but there is general and omnibus allegation against them to cause assault to the informant through fists and slaps with specific allegation against Ismail, Md. Sadik alias Guddu, Md. Afroj and Shahid Alam to cause injury to the brothers of the informant and Dilawar Hussain. In fact, due to land dispute, the occurrence of “Maar-Peet” took place in between the parties in which the petitioners’ side also sustained injury regarding which on the basis of the written report of Jahidur Rahman, the brother of the co-accused Shahid Alam, Bahadurganj P.S. Case No.155 of 2017 under Sections 341, 323, 324, 325, 326, 307, 379, 504 and 506/34 of the Indian Penal Code was instituted against the informant’s side. The petitioners have no criminal antecedents.



Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kishanganj, in connection with Bahadurganj P.S. Case No.156 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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