

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.827 of 2017**

- =====
1. Md. Samser @ Shamser, son of Sattar,
  2. Md. Jamsed @ Jamshed, son of Sahid,
  3. Md. Farid, son of Samshul,
  4. Md. Mehtab @ Mahtab, son of Md. Sattar, All resident of Village-Goura, P.S.- Shahkund, District- Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anamul Haque, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**

**ORAL ORDER**

2      13-01-2017      Heard both sides.

The petitioners apprehend their arrest in Shahund P.S. Case No. 117/2016, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code.

Md. Izrail the informant alleged that his son Md. Gufran went to purchase articles from the shop of Rizwan, but Md. Jamsed, Md. Mehtab came there and began to abuse his son. The informant and his brother Md. Jibrail and his son Md. Imran also went there. Md. Samser, Md. Sattar, Farid, Saddam, Roushan, Pappu and Sahid having armed with lathi came there and assaulted



the informant and his son. Md. Gurfan, Md. Imran and Md. Jibrail were badly injured.

Learned counsel for the petitioners submits that there is case and counter case being Shahkund P.S. Case No. 118/2016. Md. Mehtab petitioner no. 4 is the informant in Shahkund P.S Case No. 118/2016. Omnibus and general allegation of assault is made against all the nine accused persons. From the side of the informant Md. Jibrail got grievous injury on shoulder and other injured got simple injuries. From the side of the petitioner two persons namely, Md. Mehtab and another were injured. Mehtab got one grievous injury in which arm of Md. Mehtab is found fractured. Similarly, scapular bone of Md. Jibrail is found fractured, but no specific allegation of assault is made against the petitioners.

Considering the facts aforesaid and the fact that both the parties entered into mutual scuffle and from the side of the petitioner two persons were injured and from the side of the informant three persons were injured, 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 Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Shahkund P.S. Case No. 117/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

**(Prabhat Kumar Jha, J.)**

Vinita/-

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