

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2338 of 2017

Arising Out of PS.Case No. -12 Year- 2015 Thana -SRI NAGAR District- MADHEPURA

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1. Md. Lal, Son of Md. Alam
 2. Md. Ashraf @ Afsar @ Md. Ansar, Son of Md. Alam
 3. Md. Jibrail, Son of Md. Ayyub
 4. Md. Mikail, Son of Md. Ayyub
 5. Md. Isa, Son of Md. Ayyub
 6. Bibi Fania, Wife of Late Md. Shaukat
 7. Bibi Alam Ara, wife of Md. Chand
 8. Bibi Jaitun, wife of Md. Alam
 9. Md. Saddam, Son of Md. Nasir, All residents of village - Madninagar, Mangalbara, Police Station - Shrinagar, District - Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Sri Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 08-02-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Shrinagar P.S. Case No. 12 of 2015 registered under Sections 147, 148, 149, 323, 325, 307, 380, 427, 504, 506 and 447 of the Indian Penal Code.

The accusation is that due to land dispute 18 persons named in the F.I.R. including the petitioners armed with



weapons came near the house of the informant. In the meantime, co-accused, Jahagir Alam, caused injury at the head of the father of the informant through the butt of gun, on which, his father fell down. Thereafter, Md. Bablu and Md. Pinku assaulted his father through iron rod and axe. When his mother, Bibi Mehrun, came to save his father then Md. Nanha caused Farsa injury at the head of his mother where Md. Firoj and Md. Jobrail also caused injury through lathi.

Learned counsel for the petitioners submits that the petitioners are named in the F.I.R. as the members of mob without any specific overt act whereas occurrence took place due to land dispute, regarding which, Shrinagar P.S. Case No. 13 of 2015 is also instituted on the basis of the written report of Aamima Khatoon, wife of co-accused Md. Salim. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Madhepura, in connection with Shrinagar P.S.



Case No. 12 of 2015, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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