

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59629 of 2017

Arising Out of PS. Case No.-153 Year-2017 Thana- BITHAN BAZAR District- Samastipur

1. Mansoor Aalam @ Md. Mansoor Aalam, S/o- Md. Mazid Hussain,
2. Md. Nazare Aalam @ Nazare Alam, S/o-Md. Mansoor Aalam,
3. Md. Kamare Aalam @ Kamre Aalam, S/o- Md. Mansoor Aalam,
4. Md. Estekhar @ Estekhar, S/o- Md. Abaidulla, All R/o- Village- Belaun, P.S.- Bithan, District- Samastipur (Bihar).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. DINESH SINGH

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-12-2017 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 307, 323, 324 ,341, 354, 448, 504 and 506 of the IPC.

The prosecution case is that the informant was pegging bamboo on his land, in the meantime, the accused persons came armed with lethal weapon and on the order of petitioner no.1, Mansoor Aalam, co-accused Dilshad @ Pasa assaulted with spear on the neck of the son of the informant, but the son of the informant received grievous injury on the head and when the



informant came to rescue his son, he was also assaulted by the son and nephew of petitioner no.1 and when the nephew of the informant, Osama Bin Laden came to rescue, then he was also assaulted.

It is submitted by learned counsel for the petitioners that the injuries of the informant, his son and nephew have been found to be superficial simple in nature caused by hard and blunt substance. There is counter version of the occurrence also and the petitioners' side also received injuries. The accusation has been levelled in the background of land dispute. A statement has been made in paragraph no.3 that petitioner no.1 is accused in one other case also in which he is on bail and petitioner nos. 2 to 4 have no criminal antecedent.

Considering the fact that there is no specific accusation of assault against the petitioners and there is counter version of the occurrence also, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Rosera, Samastipur in connection with Bithan P.S. Case No. 153 of 2017, subject to



the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

