

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4870 of 2017

Arising Out of PS.Case No. -58 Year- 2015 Thana -SHYAMPUR BHATHA District- SHEOHAR

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Md. Atiullah, Son of Late Abdul Aziz, Resident of Village- Nayagaon, P.S.-
Shyampur Bhatha, District- Sheohar.

.... 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 03-03-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Shyampur
Bhatha P.S. Case No.58 of 2015 registered under Sections 147, 148,
149, 341, 323, 324 and 307/34 of the Indian Penal Code besides Section
27 of the Arms Act.

The accusation is that on 25.09.2016 at about 02.30 P.M.,
when Md. Nasrullah, the nephew of the informant Md. Shabbir Ahmad,
was going to play the cricket, in the way, 10 persons, named in the
F.I.R., including the petitioner surrounded and caused assault to him.
On hulla being raised by the nephew of the informant, when the
informant reached there, then he was surrounded by them. At that time,
the petitioner caused injury at the head of the informant through Dabia



whereas Md. Amirullah Sanullah and Md. Kallu also caused injury at his head through Fatta and Md. Kallu and Md. Ladla caused injury at the back and hand of the informant respectively through piece of bamboo.

Learned counsel appearing on behalf of the petitioner submits that, in fact, due to land dispute, the occurrence of “Maar-Peet” took place in between the parties in which the petitioner’s side also sustained injury regarding which on the basis of the written report of Md. Hayatullah, the son of the petitioner, Shyampur Bhatha P.S. Case No.59 of 2015 was instituted against the informant and others. Further submission is that while three injuries, including one injury on head caused by sharp cutting, were found on the person of the informant but all the injuries were found simple in nature. The petitioner having no criminal antecedent is in custody since 01.12.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Sushil Prasad, Judicial Magistrate, First Class, Sheohar, in connection with Shyampur Bhatha P.S. Case No.58 of 2015.

(Rajendra Kumar Mishra, J)

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