

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8107 of 2017

Arising Out of PS.Case No. -409 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

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1. Md. Moimuddin @ Md. Moin, Son of Late Md. Hakim @ Hakim,
 2. Md. Shahnawaz @ Shakila @ Md. Shahnawad Hakila, Son of Shfique,
 3. Md. Nesar Alam @ Md. Nesar, Son of Late Shifique @ Feku,
 4. Md. Rustam, Son of Late Shifique @ Feku,
 5. Md. Aarif, Son of Rogan Mian, All resident of Village- Bhadeja, P.S.-
Muffasil, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
Mr. Priya Ranjan, Advocate
Mr. Amit Singh, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-02-2017 This is an application for grant of anticipatory bail

for offences punishable under Sections 341, 307, 325, 323, 379,

324, 504, 448 and 34 of the Indian Penal Code.

Heard learned counsel for the petitioners.

It has been submitted on behalf of the petitioners that

there is case and counter case between the parties. Land dispute is

going on between the parties and a Title Suit is also pending. So

far as injuries are concerned, all the injuries are simple in nature

except one injury, inflicted upon informant, is grievous in nature

and the same is attributed to petitioner no. 4.

Heard learned A.P.P. also.



Having heard both sides and from the injury report it appears that injuries are simple in nature except one injury which has been caused by petitioner no. 4 and there is case and counter case between the parties, let above named petitioners no. 1, 2, 3 and 5, in the event of arrest or surrender within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Mufassil P.S. Case no. 409 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and also subject to the conditions that (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the investigation and make themselves available before the police as and when required.

So far petitioner no. 4 is concerned, since allegation against him is of causing grievous injury upon informant, I am not inclined to grant anticipatory bail to petitioner no. 4, same is rejected. However, petitioner no. 4 is directed to surrender in the court below and make prayer for regular bail which will be considered on its own merit without being prejudiced by the order



of this Court.

The present application stands disposed of.

(Vinod Kumar Sinha, J)

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