

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10558 of 2017

Arising Out of PS.Case No. -523 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Rubi @ Ruhi, daughter of Wasir Hazam @ Md. Wasir @ Md. Bashir @ Basir Hazam,
2. Mobina Khatoon, Wife of Wasir Hazam @ Md. Wasir @ Md. Bashir @ Basir Hazam,
3. Wasir Hazam @ Md. Wasir @ Md. Bashir @ Basir Hazam, son of Late Mosafir Hazam.
4. Tanwir Hazam @ Tanwir @ Chanchal Hazam, Son of Wasir Hazam @ Md. Wasir @ Md. Bashir @ Basir Hazam, All residents of Village- Mokhlispur, P.S.- Banjaria, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. Damodar Prasad Tiwary, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 07-04-2017 Heard both sides.

The petitioners apprehend their arrest in Turkaulia (Banjaria) P.S. Case No. 523 of 2016, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

Mumtaz Jamal who is not petitioner here is alleged to have assaulted the informant Manir Ahmad @ Irshad Hazam with Pharsa on his head. Wasir Hazam @ Md. Wasir @ Md. Bashir @ Basir Hazam, petitioner no. 3 is alleged to have assaulted the informant with Lathi on elbow of the informant. Rubi @ Ruhi and



Mobina Khatoon petitioner no. 1 and 2 are alleged to have assaulted the informant with Lathi on his body. The petitioner no. 4 Tanwir Hazam @ Tanwir @ Chanchal Hazam is alleged to have assaulted Nasir Ahmad with iron rod on his head.

Learned counsel for the petitioners submits that Wasir Hazam @ Md. Wasir @ Md. Bashir @ Basir Hazam, petitioner no. 3 is alleged to have caused simple injuries on the person of the informant and his brother. There is a land dispute between the parties.

Considering the facts aforesaid and the fact that Rubi @ Ruhi and Mobina Khatoon petitioner no. 1 and 2 are ladies and there is land dispute between the parties and on account of their assault the informant got simple injuries and Tanwir Hazam @ Tanwir @ Chanchal Hazam petitioner no. 4 also caused simple injuries to the brother of the informant, Rubi @ Ruhi, Mobina Khatoon and Tanwir Hazam @ Tanwir @ Chanchal Hazam petitioner no. 1, 2 and 4, 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 the Chief Judicial Magistrate, East Champaran at



Motihari in Turkaulia (Banjaria) P.S. Case No. 523 of 2016,
Subject to the conditions as laid down under Section 438 (2) of the
Code of Criminal Procedure.

So far as the case of Wasir Hazam @ Md. Wasir @ Md.
Bashir @ Basir Hazam, petitioner no. 3 is concerned, he is alleged
to have assaulted the informant with Lathi on the hand of the
informant and the informant got grievous injury on account of
fracture, I am not inclined to enlarge Wasir Hazam @ Md. Wasir
@ Md. Bashir @ Basir Hazam, petitioner no. 3 on anticipatory
bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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