

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13430 of 2017

Arising Out of PS.Case No. -40 Year- 2016 Thana -PALASI District- ARRARIA

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1. Md. Anwar , Son of Late Khurtalli,
2. Md. Mohiuddin , Son of Late Khurtalli,
3. Md. Ainul , Son of Late Khurtalli,
4. Md. Istiyaque , Son of Late Khurtalli,
5. Bibi Isa @ Dukhiya , Wife of Md. Anwar, All are Resident of Village-
Barhat, Police Station-Palasi, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 08-05-2017 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection
with a case registered under Sections 341, 323, 379, 504/34 of the
Indian Penal Code.

Accusation is that on 10.03.2016 Bibi Amna @
Dukhiya started abusing the informant and on protest by the
informant, petitioner nos. 1 to 4 armed with Lathi and Farsa
reached there and started Marpeet and when the daughter of the
informant came to rescue the informant she was also assaulted by
petitioner no.1 (Md.Anwar) with Farsa on her head and when



another daughter of the informant came there she was also assaulted by petitioner no.3 (Md. Ainul) with lathi causing head injury. When Bibi Farhana fell down after sustaining head injury, the husband of the informant came there, who was also assaulted by the accused persons.

Submission is that occurrence of Marpeet took place due to land dispute in which the petitioners side also sustained injury for which Palasi P.S. Case No. 41 of 2016 was also instituted. Moreover, the injuries, as found, on the persons are simple in nature. The petitioners have got no criminal antecedent.

Having considered the facts and circumstances of the case, let, above named petitioners, be released 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 learned A.C.J.M.-III, Araria in connection with Palasi P.S. Case No. 40 of 2016, subject to the conditions under 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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