

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3525 of 2017

Arising Out of PS.Case No. -182 Year- 2016 Thana -DHAMDAHA District- PURNIA

=====

1. Md. Najir Son of Md. Ibrahim
2. Md. Naseem @ Nasim S/o late Perbaks
3. Zubair Son of Md. Kamrul All resident of Village- Kuwari Gola, Police
Station- Dhamdaha, District- Purnea.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Md. Hussain

For the Opposite Party/s : Mr. Abhay Kumar - 1

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-02-2017 Heard learned counsel for the petitioners and the
learned counsel for the State.

The petitioners seek anticipatory bail in a case
instituted for the offence under sections 323, 341, 338, 354 and
307/34 of the Indian Penal Code.

It has been submitted that there is no specific allegation
attributed against this petitioners in the F.I.R. There is dispute
between the parties for passage.

It is alleged in the written report that on the date of
alleged occurrence, this petitioner with other accused persons
having armed with lathi and danda assaulted the mother of the
informant and when the brother of the informant namely Dilkash
came to save her then he was also assaulted.

Learned counsel appearing on behalf of the petitioners



submits that from perusal of the impugned order, it appears that the doctor has found one injury on the mother of the informant to be grievous in nature as 1.1/2"x1/2"x1/4" Deep to bone. From written report, it appears that no specific overt act has been attributed against these petitioners. There is general allegation that these petitioners along with other accused persons armed with lathi and danda, assaulted the mother of the informant. It has further been submitted that the petitioners have no criminal antecedent. From the written report itself, it appears that the occurrence has taken place on account of land dispute.

Considering the facts and circumstances of the case, let the petitioners above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Dhamdaha P.S. Case No. 182 of 2016, shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Sanjay Priya, J)

Amit/-

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

