

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13416 of 2017

Arising Out of PS.Case No. -77 Year- 2015 Thana -PALANWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Md. Yosuf @ Yosuf , Son of Zakir Miya,
2. Nasullah@ Nashullah @ Md. Nasrullah Alam, Son of Nek Mohammed,
Both are Resident of Village- Sukhi Semra, P.S.- Palanwa, District- East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Advocate.

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 02-05-2017 Heard learned counsel for the petitiones and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Palnawa P.S. Case No. 77 of 2015, registered under Sections
341, 323, 324, 307, 504, 448, 147, 148 and 149 of the Indian Penal
Code and later on Section 302 of the Indian Penal Code has been
added.

The accusation is that informant, Subhan Mian, along
with his family members was sitting at his door, on 20.07.2015, in
the evening. At that time, 11 persons named in the F.I.R. including
the petitioners reached there and started to abuse. In the meantime,
Barkat Mian, Jahir Mian and Jakir Mian started to cause assault to



Maksud Mian, who sustained grievous injury. At that time, Md. Yosuf Mian (petitioner no. 1), Jakir, Firoj, Afroj and Safroj caused injury to Mansur Mian.

Learned counsel for the petitioner submits that there is specific allegation against Barkat Mian, Jahir Mian and Jakir Mian to cause injury to Maksud Mian, while allegation has been made against Yosuf Mian (petitioner no. 1), Jakir, Firoj, Afroj and Safroj to caused injury to Mansur Mian but no injury was found on the person of Mansur Mian. Further submission is that petitioners have no criminal antecedent.

Considering the aforesaid submissions, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Raxaul at Motihari, District East Champaran, in connection with Palnawa P.S. Case No. 77 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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