

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35341 of 2017

Arising Out of PS.Case No. -85 Year- 2017 Thana -PALASI District- ARRARIA

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1. Md. Aslam, S/o Late Khalil,
2. Bibi Nanki @ Sabana @ Shabana Perveen. W/o Md. Aslam, Both are
resident of Village- Ram Nagar, Tola Kumhia, P.S. Palasi, District- Araria.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Advocate

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 11-08-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners, apprehending their arrest in connection
with Palasi P.S. Case No. 85 of 2017 registered for the offences
punishable under Sections 341, 323, 324, 307, 354(B), 379 and
504/34 of the Indian Penal Code, seek the privilege of pre-arrest
bail.

Allegedly for land dispute the petitioners were abusing
the informant and when the informant and his mother forbade
them then they started assaulting by fat and slap and further the
petitioner No. 1 assaulted with iron-rod on the head of the mother
of the informant and snatched necklace and when the wife of the
informant came to save, her clothes were torn, resulting she became



naked.

Submission is of false implication and that there is case and counter case. There is free fight between the parties for land dispute. The petitioners have also received injuries, which are more serious than the injury received by the mother of the informant. The mother of the informant has received simple injury and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. after going through Annexure-4 fairly submits that the mother of the informant has received simple injury but on the head, there was injury.

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Araria in connection with Palasi P.S. Case No. 85 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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