

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55393 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -HAYAGHAT District- DARBHANGA

- =====
1. Md. Bashirul @ Bashrul, Son of Mojibul @ Md. Mojibul,
 2. Md. Mumtaz, son of Late Zizul,
 3. Md. Aazam, son of late Md. Aiyub, All are resident of village-
Rasoolpur, P.s. Hayaghat, District-Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 28-11-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Hayaghat P.S. Case no. 38 of 2017, registered under Sections 147, 148, 341, 323, 307, 149, 379, 447, 427, 326 and 504 of the Indian Penal Code.

The accusation is that on 28.06.2017 the informant Md. Shamim Sah was at his door. At that time minor son of petitioner No.1 was caught hold in the house of Ramashish Mahto committing the theft, who disclosed that he was instructed for committing theft by the son of informant. Thereafter, six persons named in the F.I.R. including the petitioners and 5 to 6 others having lathi in their hand came at the door of the informant and started abusing to Md. Riyasat Sah, one of the son of the informant. At that time Md. Mustafa gave iron rod blow



at the neck of the informant then he fell down. At that time, wife of petitioner No. 3 Md. Azam threw hot water on the body of Liyaquat which caused burn injury and Mustafa snatched golden locket of Joya Parveen, wife of Liyakat.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that specific allegation is to cause injury at the neck of the informant is against Md. Mustafa and petitioners were simply present there.

Having regard to the facts and circumstances of the case, 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 four 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 A.C.J.M-V Darbhanga in connection with Hayaghat P.S. Case No. 38 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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