

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41650 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -BHARGAWAN District- ARRARIA

=====

1. MD. KAMRAN @ KAMRAN ALAM Son of Md. Abujar Resident of Village- Akarthapa, P.S. Bhargama, District- Araria.
2. Md. Jabir @ Jabir Son of Ainul @ Mangal Resident of Village- Akarthapa, P.S. Bhargama, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Navjot Yesu, Adv.

For the Opposite Party/s : Mr. Vijay Kishore Bharti, Adv.

Mr. Anil Prasad Singh, Adv.

Mr. Kanhaiya Kishore, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-09-2017 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioners seek bail in connection with Bhargama P.S. Case No. 26/2017, for the offences punishable under Section 307 and other allied sections of the Indian Penal Code.

The prosecution case as lodged by the informant is that while they were measuring the land, twelve accused persons including the petitioner came variously armed with lathi, iron rod, Farsa, Danda and one of the co-accused Abujar hit the uncle of the informant Khurshid by means of Farsa on his head. Allegation upon the petitioners is of abusing the informant side.

It has been submitted by the learned counsel for the



petitioners that they are innocent and the present case is a counter blast of the case bearing Bhargama P.S. Case No. 25/17 lodged by the petitioner's side for the same occurrence in which one of the persons of petitioner's side received grievous injury. He submits that co-accused who was alleged to have assaulted the informant's uncle has been granted the privilege of bail by the learned court below itself, petitioners were only members of the mob and the matter relates to civil dispute.

However, learned counsel for the informant and the learned A.P.P. for the State oppose the prayer for bail stating therein that the investigation is going on and the injury sustained by the uncle of the informant was found to be grievous caused by hard and blunt substance.

Considering the facts and circumstances and materials on record, let the petitioners named above, be enlarged 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 Chief Judicial Magistrate, Araria in connection with Bhargama P.S. Case No. 26/2017, subject to the condition that one of the bailors would be a close relative of the petitioners having sufficient immovable property within the jurisdiction of the concerned police station/court, who will file an affidavit stating his relationship with



the petitioners and that petitioners will not induce or tamper with witnesses and will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

Vinita/-

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

