

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36397 of 2017

Arising Out of PS.Case No. -105 Year- 2017 Thana -BAJPATTI District- SITAMARHI

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1. MD. TABJIL @ MD. TABDIL @ MD. TABJIL AHMAD S/o Md. Akil
2. Rabiya Khatoon W/o Md. Akil Both of resident of Village - Kasaiyapatti,
P.S. Bajpatti, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 10-08-2017 Heard Mr. Alok Kumar Alok, learned counsel for the

petitioners and Mr. Dayal, learned Additional P.P. for the State.

The petitioners apprehend their arrest in Bajpatti P.S.

Case No. 105/2017, registered under Sections 341, 323, 354, 379,

504 and 34 of the Indian Penal Code.

Petitioner no. 1 is son of petitioner no. 2. The

informant is own aunt of petitioner no. 1. The allegation is that

while the informant was sitting with her husband, both mother and

son came and a scuffle broke out. The informant was dragged by

petitioner no. 1 and also fisted and assaulted. Further allegation is

of committing theft of her belongings.

Learned counsel for the petitioners submits that



owing to family dispute, the occurrence has taken place. It was just a scuffle, which has been given a different shape.

Considering the submission, it is directed that both the petitioners in the event of their arrest or surrender before the court below within a period of five weeks from the date of receipt/production of a copy of this order, are directed to 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 the learned Sub Divisional Judicial Magistrate, Pupari, Sitamarhi in connection with Bajpatti P.S. Case No. 105/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (i) one of the bailors in each case shall be own close family member (ii) during the subsistence of the privilege, if the petitioners involved themselves in a serious criminal case, same shall be construed as breach of the condition of bail, entailing cancellation of the bail bonds.

(Kishore Kumar Mandal, J.)

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