

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54519 of 2017

Arising Out of PS.Case No. -229 Year- 2017 Thana -BARSOI District- KATIHAR

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Md. Kalimuddin @ kalimuddin, son of Late Riyazuddin, resident of
Village- Saula Baghar, P.S. Barsoi, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hoda

For the Opposite Party/s : Mr. Umesh Lal Verma

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Barsoi P.S. Case no. 229 of 2017, registered under Sections 147, 149,
341, 323, 307, 504, 506 and 427 of the Indian Penal Code.

The accusation is that 12 persons named in the F.I.R.
including the petitioner along with five unknown having lathi, Farsa
and Bhala came at the paddy field of the informant Noor Alam and
started to damage the paddy crop, when the informant made protest
then all started to cause assault through Farsa and fist and slaps. On
raising alarm by the informant his nephew Md. Afsar also reached
there and he was also assaulted by them. At that time, Md. Jehad and
Md. Kalim snatched Rs. 750/- and silver chain from the neck of the
wife of the informant.

Learned counsel for the petitioner submits that, in fact,



occurrence of Marpit took place due to land dispute. Out of four injuries as sustained by informant, injury No.1 incised wound in Lt. side of frontal region of scalp measuring 2”X1/6” in size cutting skin is said to be grievous in nature. Further submission is that while petitioner is named in the F.I.R. along with 11 persons, but no specific overt act has been attributed against the petitioner and the petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar in connection with Barsoi P.S. Case No. 229 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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