

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.58477 of 2018**

Arising Out of PS.Case No. -325 Year- 2017 Thana -PALASI District- ARRARIA

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1. Md. Babloo, S/o Kamruddin,
  2. Md. Tabrej, S/o Late Kalim,
  3. Md. Mojib, S/o Late Kalim,
  4. Md. Karu, S/o Late Pir Bakash,
  5. Ashif @ Ashib, S/o Ali Hussain,
  6. Bibi Hazra, W/o Md. Israfil,
  7. Istaf, S/o Late Jamil,
  8. Shahanwaz @ Md. Shahnawaz, S/o Md. Mumtaz ,
  9. Khurshid, S/o Iltaf, Petitioner No. 1 to 6 R/o Vill. - Pachaili Kol Tola
- All P.S.- Palasi, District- Araria.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Mukesh Kumar Rana, Advocate.

For the Opposite Party : Mr. Prem Kumar Jha, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      08-10-2018                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners are apprehending their arrest in a case  
for the offence registered under Sections 341, 323, 325, 307,  
354(B), 504 and 379/34 of the IPC.

The prosecution story, in brief, is that on 02.12.2018  
at 10.30 A.M., while the informant was ploughing his field with a  
Tractor, in the meantime, the petitioners and other co-accused  
persons named in the F.I.R., came and started abusing the



informant restrained him from ploughing the field and assaulted the informant. It is further alleged that when Nizam and his wife of Nazim came to rescue the accused persons also assaulted her and made her half naked. Co-accused Ali Hussan with intent to kill inflicted iron rod blow on the head of Md. Nizam. The accused persons also assaulted to Md. Mustaque, Md. Nasim and Mukhtar.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. It is case and counter case between the parties. The alleged occurrence has taken place due to petty reason. Nature of injury is said to be simple. Hence, no offence under Section 307 of the IPC is made out.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Araria,



in connection with Palasi P.S. Case No. 325 of 2017, G.R. No. 3760 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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(Sudhir Singh, J)

