

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28694 of 2018

Arising Out of PS. Case No.-608 Year-2014 Thana- KISHANGANJ District- Kishanganj

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1. Tausif @ Tausif Alam @ Tausif Ali, Son of Nabi.
 2. Nabi @ Md. Nab, son of Late Md. Idris, Both resident of Chaprasi Mobhalla Line, P.S. and District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Rashid Alam, Advocate.

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-05-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kishanganj P.S. Case No. 608 of 2014 registered under Sections 341, 323, 324, 307 and 379/34 of the Indian Penal Code.

The accusation is that in the evening of 26.11.2014, informant, Amina Khatoun, was talking with her son, Irshad, at her door and at that time, petitioners and one Ajnas started to abuse. When she made protest then petitioner no. 1, Tausif @ Tausif Alam, gave iron rod blow at her head. When her son, Irshad, rushed to save her then he was also assaulted through iron rod by petitioner no. 2, Nabi @ Md. Nabi. In the meantime,



Ajnas snatched the ear ring from the informant.

Learned counsel for the petitioners submits that, in fact, hot talk was exchanged in between the petitioners and the informant due to land dispute, but with ulterior motive the present case has been lodged with false allegation. Moreover, informant and her son received single injury at their head and after investigation, the police submitted the charge sheet under Section 341, 323, 324 and 325 of the Indian Penal Code and the informant has also filed a compromise petition on 26.04.2017 in the court of Chief Judicial Magistrate, Kishanganj.

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 six 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 Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 608 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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