

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26127 of 2018

Arising Out of PS.Case No. -229 Year- 2017 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Md. Saddam Husain @ Saddam Miyan, son of Mauladdin Miyan,
Resident of Village- Maullanagar, Police Station- Lauriya, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 07-05-2018

Heard both sides.

The petitioner apprehends his arrest in Lauriya P.S.
Case No.229 of 2017 registered under Sections 147, 148, 149,
447, 323, 324, 325, 308, 379, 354(A) and 504 of the Indian Penal
Code.

The informant named nine persons including the
petitioner in accused column and alleged that when he forbid from
abusing Naushad assaulted him with farsa on his head. Mustakim
Mian assaulted him with iron rod. Majhar Mian took Rs.25,000/-
from his shop and Manan Mian took out ornaments from his
house. When Aashma Khatoon came to save the informant,
Majhar Mian pushed her down on the ground causing uprootment



of teeth.

The learned counsel for the petitioner submits that no specific allegation of assault is made against the petitioner although the informant made specific allegation of assault against other accused persons.

Considering the facts that of course the petitioner is named in the F.I.R. but no specific allegation is made against the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bettiah, West Champaran in connection with Lauriya P.S. Case No.229 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Saurabh/-

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