

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38737 of 2018

Arising Out of PS.Case No. -88 Year- 2018 Thana -TAJPUR District- SAMASTIPUR

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1. Md. Osaid @ Osaid, S/o Md. Moij, R/o Vill.- Sahpur Baghani, P.S.-
Tajpur (Waini- O.P.), District- Samastipur.
2. Md. Murshid @ Md. Mursid S/o Md. Moij, R/o Vill.- Sahpur, Baghouni,
P.S.- Tajpur (Waini O.P.), District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Singh

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Tajpur (Waini O.P.) P.S.Case No.88 of 2018 , registered for offences punishable under Sections 147, 148, 341, 324, 307 and 504 of the Indian Penal Code.

Allegation against the petitioner no.1 is of assault by dagger and against the petitioner no.2 of assault by iron rod to the son of the informant.

Submission of the learned counsel for the petitioners is that there is case and counter case between the parties, injuries are simple in nature and they are 'gotia'.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Samastipur in connection with Tajpur (Waini O.P.) P.S.Case no.88 of 2018 dated 21.3.2018 subject to condition as laid under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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