

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39788 of 2018

Arising Out of PS.Case No. -374 Year- 2017 Thana -JHAJHA District- JAMUI

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Md. Muddin Mian Son of Samshul Mian Resident of Village- Nargan Jo,
Police Station Jhajha, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 10-07-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 379, 307, 325 and 504 of the Indian Penal Code.

The prosecution case as per the written report of Ladli Khatoon dated 15.11.2017 submitted to the Station House Officer, Jhajha P.S., is to the effect that on 15.11.2017 at 4.00 P.M., the informant was returning home along with cut paddy crop, in the meantime, 11 FIR named accused persons, including the petitioners started abusing the informant. On protest being made, co-accused Enul Mian assaulted with



Bhujali on the head of Md. Shamsheer, co-accused Samsul Mian, Subhan Mian, Israil Mian assaulted with sword to Md. Afzal. It is alleged that the petitioner Muddin Mian and Guljar Mian assaulted with Farsa and rod on the head of Md. Riyaz. Co-accused Sattar and Manjoor Mian snatched silver jewellery from the mother-in-law of the informant.

It is submitted by learned counsel for the petitioner that the petitioner assaulted with Farsa on the head of Md. Riyaz but injury has been found to be simple in nature when Guljar Mian assaulted with rod on the leg of the informant and the said injury has been found to be grievous. There is a counter version of the occurrence being Jhajha P.S. Case No. 375 of 2017, lodged by petitioner's side against the informant side with accusation under Sections 147, 148, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code. It is further submitted that in the background of land dispute, the accusation has been levelled and petitioner's side have also received injury.

Learned APP, however, submits that the petitioner is named in the FIR with specific accusation.

Considering the accusation being levelled in the background of land dispute and there is a counter version of the occurrence and petitioner's side have also received injury, let



the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 374 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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