

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.64036 of 2018

Arising Out of PS. Case No.-318 Year-2018 Thana- NAUTAN District- West Champaran

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1. Er. Md. Aakhir Hussien @ Ashir Husain @ Akhil Husain, Son of Evadat Husain,
 2. Tarik Anwar @ Tunna Ansari, Son of Noorul Hoda Ansari.
 3. Noorul Hoda Ansari, Son of Late Ashik Mian,
 4. Abid Husain, Son of Late Manjoor Alam,
 5. Mahmood Alam @ Mahmood Ansari, Son of Mainuddin Ansari.
 6. Javed Alam @ Javed Ansari, Son of Evadat Husain, All are resident of Village- Jhakhra, Police Station- Nautan (Jagdishpur), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sri Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 13-12-2018 Heard the learned counsel for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Nautan (Jagdishpur) P.S. Case No. 318 of 2018 dated 14.06.2018 instituted for the offences under Sections 447, 341, 323, 324, 307, 354(B), 504, 506 and 34 of the Indian Penal Code.

While the informant was sitting at his darwaja and was observing the construction of a house, the petitioners and others arrived at his house and indulged in assault. Specific accusation of assault on the informant has only been attributed to petitioner no. 1 viz. Er. Md. Aakhir Hussien @ Ashir Husain @ Akhil Husain and petitioner no. 6 viz. Javed Alam @ Javed Ansari. Petitioner no. 1 is said to have assaulted the



informant by means of a lathi whereas petitioner no. 6 is said to have assaulted the informant by means of a farsa. There is general and omnibus allegation against other petitioners.

Learned counsel appearing for the petitioners has drawn the attention of this Court to the fact that there is a counter case also in which petitioner no. 1 has received grievous injuries in the aforesaid occurrence.

Considering the aforesaid facts as also taking into account that the dispute has arisen because of the competing claims over the land in question and that the petitioners are persons of clean antecedents, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Nautan (Jagdishpur) P.S. Case No. 318 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

krishna/-

(Ashutosh Kumar, J)

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