

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4122 of 2018

Arising Out of PS.Case No. -2 Year- 2017 Thana -PHENHARA District-
EASTCHAMPARAN(MOTIHARI)

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1. Md. Mozamil Hussain, S/o Ifakhar Alam @ Md. Iftekhar,
2. Md. Mozahid S/o Iftekhar Alam @ Md. Iftekhar,
3. Md. Sarfaraz Alam @ Guddu @ Md. Sarfaraj S/o Jakurulla,
4. Md. Shamshe Alam,
5. Md. Sadam Both S/o Mahmud Alam, All are R/o Village- Jamunia, P.S.-
Phenara, District- East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-02-2018 The petitioners are apprehending their arrest in connection with Phenara P.S. Case No. 02 of 2017, registered for offences punishable under Sections 341, 323, 324, 307, 504 and 506/34 of the IPC.

Allegation against petitioner no. 1 is of catching hold of informant, allegation against petitioner no. 2 is of assaulting the informant by *bhala* and allegation against petitioner nos. 3 and 4 is of assault to the informant by *lathi*.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case in the backdrop of land dispute and though there is allegation of assault to the



informant, however, all the injuries caused to him was found to be simple in nature.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Phenara P.S. Case No. 02 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the 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 shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part two appear before the police on two consecutive dates



without showing any genuine reasons, the
prosecution is free to move for cancellation
of his bail bonds.

(Vinod Kumar Sinha, J)

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