

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25726 of 2018

Arising Out of PS.Case No. -24 Year- 2018 Thana -RAUTA District- PURNIA

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1. Abdul Kuddus, Son of Late Mohimuddin,
2. Husna Ara Begum @ Husn Ara, Wife of Abdul Kuddus,
3. Kamil, Son of Late Mohimuddin, All are Resident of Shishabari Khas
Tola, P.S.- Rauta, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 04-05-2018 Heard both sides.

The petitioners apprehend their arrest in Rauta P.S.
Case No.24 of 2018 registered under Sections 307, 325, 379 and
other minor sections of the Indian Penal Code.

The informant named the petitioners along with
Saddam and wife of Kamil. The informant alleged that all the
accused persons began to abuse and assault his uncle. When the
informant came to save his uncle, Md. Kamil assaulted the
informant with dabiya but the blow did not hit the informant. Md.
Kuddus assaulted the informant with spade which hit on his arm
causing fracture injury and Md. Saddam assaulted with basila
causing sharp cut injury on his head.



The learned counsel for the petitioner submits that there is a bonafide land dispute between two sides. The land was settled in favour of the petitioners by the C.O.. The informant tried to dispossess the petitioners but it appears that there is very specific allegation against Abdul Kuddus that his blow with spade caused fracture injury on the hand of the informant and Md. Saddam assaulted with basila on his head. Hence, I am not inclined to enlarge the petitioner No.1, Abdul Kuddus on anticipatory bail. Accordingly, the same is rejected.

So far as the case of Husna Ara Begum @ Husn Ara and Kamil, petitioner Nos.2 and 3 is concerned, there is no specific allegation against Husna Ara Begum. The allegation of blow given by Kamil did not hit the informant and thereafter Kamil has not made attempt to give another blow.

Considering the facts aforesaid, the petitioner Nos.2 and 3, namely, Husna Ara Begum @ Husn Ara and Kamil in the event of their 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 are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Purnea in connection with



Rauta P.S. Case No.24 of 2018, subject to conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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