

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34756 of 2018

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1. Sk. Gaisul, Son of Late SK. Hadees.
2. Sk. Maqsood @ Md. Maqsood, Son of SK. Gaisul,
3. SK. Tabrej @ Md. Tabrej Alam, Son of SK. Amanullah.
4. SK. Sajjad, Son of SK. Reyaz.
5. SK. Amanullah, Son of Late SK. Hadees.
6. SK. Jawwad @ Md. Jauwad @ SK. Jauwad, Son of SK. Amanullah, R/o Bhatara, P.S.- Shikarpur District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha

For the Opposite Party/s : Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 03-07-2018 Heard both sides.

The petitioners apprehend their arrest in Shikarpur P.S.

Case No.30 of 2018 registered under Sections 147, 148, 149, 323, 324 and 307 of the Indian Penal Code.

The informant alleged that while he was cutting sugarcane crops along with his brother and other family members, the petitioners came and assaulted the informant and his family members with different weapons including sword and farsa.

The learned counsel for the petitioners submits that occurrence took place on 24.01.2018 but the informant gave information on 27.01.2018 i.e. after three days of the occurrence.



Prior to institution of the present case, Sk. Amanullah, petitioner No.5 lodged Shikarpur P.S. Case No.54 of 2018. There is bonafide land dispute between two sides and a title suit is also going on. Sk. Amanullah and Sk. Jawwad are alleged to have assaulted with farsa and sword but the injuries found on the person of injured are caused by hard and blunt object. All the injuries found on the person of the informant are simple in nature.

Having considered the fact that there is case and counter case between two sides on account of land dispute for which a title suit is also going on and the injured got simple injuries, the petitioners, above named, 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 Chief Judicial Magistrate, Bettiah in connection with Shikarpur P.S. Case No.30 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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