

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70956 of 2018

Arising Out of PS. Case No.-480 Year-2018 Thana- NATHNAGAR District- Bhagalpur

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1. MD. SAHID @ SAYEED,
 2. Md. Diyanat, Both Son of Late Md. Jamil,
Resident of Mohalla- Hakim Sah Mohammad Lane Champanagar,
Police Station- Nathnagar, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Rajendra Singh Shastriji, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2018 Heard learned Counsel for the petitioners, informant and
learned APP for the State.

The petitioners are apprehending arrest in a case registered
for the offences punishable under Sections
307/323/341/354B/504/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report dated 03.08.2018 submitted by Farjana Khatoon to the
Station House Officer, Nath Nagar Police Station to the effect
that the informant was washing her hands after easing out, in the
meantime, the accused persons started abusing her and assaulted
by fists and slaps. It is alleged that co-accused, Bibi Safina and
Bibi Tina caught the hands of the informant, whereupon, the
petitioners, being the brother-in-law (devar) assaulted the



informant with an iron rod.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled. It is further submitted that by inadvertence a statement has been made in paragraph no.3 of the petition that both the petitioners are not having any criminal antecedent, though a supplementary counter affidavit has been filed to the effect that apart from the present case, petitioner no.1 is accused in one other case, being Nath Nagar P.S. Case No.126 of 2011, wherein he is on bail.

Learned counsel for the petitioners is permitted to make necessary correction in paragraph no.3 of the petition.

It is submitted by learned counsel for the informant there is specific accusation against the petitioners in the FIR and the corresponding injuries have been found.

Considering the accusation levelled in the background of dispute between the parties from before, relationship between the parties, coupled with nature of injuries caused to the informant, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of the learned ACJM, Bhagalpur, in connection with Nath Nagar P.S. Case No.480 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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