

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27298 of 2019

Arising Out of PS. Case No.-14 Year-2017 Thana- BHARGAMA District- Araria

1. Md. Rizwan @ Rizwan Alam @ Md. Rizwan Alam, Son of Late Md. Mazloom @ Majlum Hussain Resident of village-Chharapatti, Police Station-Bhargama, District-Araria.
2. Md. Munna Son of Late Mazloom @ Majlum Hussain Resident of village-Chharapatti, Police Station-Bhargama, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 23-05-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehends his arrest in connection with Bhargama P.S. Case no. 14 of 2017, registered under Sections 147, 149, 341, 323, 324, 307, 379, 354B, 504 and 506 of the Indian Penal Code.

The accusation is that on 31.01.2017, in the evening, informant Md. Abrar went at his barren land for digging the field and asked to petitioner No.1 Md. Rizwan @ Rizwan Alam @ Md. Rizwan Alam to remove the peg on which he became anger and started to abuse. Thereupon, Md. Nizamuddin, Md. Nazim, Md. Munna, Sarjoon Khatoon, Bibi



Kaushil Khatoon, Bibi Nigar, Bibi Darakhshan and Md. Saimuddin reached there armed with lathi and danda and on the order of petitioner No.1, Md. Nizamuddin assaulted the informant through Farsa on his head. At that time, petitioner No.1 took cash of Rs. 5000/- from the pocket of the informant. On hulla, Shabbana Khatoon, wife of the informant and Md. Jahangir, brother of the informant, rushed to save the informant then they were also assaulted by fist and slaps. At that time, Bibi Nigar started dragging the wife of informant catching her hair on protest, petitioner No.2 torn the sari of the informant's wife.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that no specific overt act has been attributed against the petitioners. Further submission is that only one injury found on the person of informant, which is attributed against Md. Nizamuddin. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate,



Araria in connection with Bhargama P.S. Case No. 14 of 2017,
subject to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Rajendra Kumar Mishra, J)

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