

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19233 of 2019

Arising Out of PS. Case No.-336 Year-2016 Thana- AMARPUR District- Banka *

1. MD. MAHFUJ @ MD. MAHFULJ Son of Late Md. Raffu @ Md. Rafik Resident of Village- Dumrama, P.S.- Amarpur, District- Banka.
2. Md. Ayatullah S/o Md. Mahfuj @ Md. Mahfulj Resident of Village- Dumrama, P.S.- Amarpur, District- Banka.
3. Md. Jahir S/o Late Md. Raffu @ Md. Rafik Resident of Village- Dumrama, P.S.- Amarpur, District- Banka.
4. Bibi Ishrat Wife of Md. Mahful @ Md. Mahfulj Resident of Village- Dumrama, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-04-2019 Heard both sides.

The petitioners apprehend their arrest in Amarpur P.S. case No. 336 of 2016 registered under Section 341, 323, 325, 308, 448, 504/34 of the IPC.

The informant named the petitioners and alleged that the petitioners suddenly entered into her house in the evening on 30.07.2016 and assaulted her with fists and slaps. When the mother of informant came to save, Md. Jahir assaulted her with Lathi. It is further alleged that when father of the informant came to save her the accused persons also assaulted him with



fists and slaps and abused him.

The learned counsel for the petitioners submits that initially the case was registered u/s 341, 323, 448, 504/34 of the IPC, which are bailable, but the police after investigation submitted charge sheet under Section 308 of the IPC also, which is non bailable. The occurrence took place on account of the fact that children of two families had quarreled with each other.

Considering the facts aforesaid and nature of allegation made against the petitioners and the fact that scuffle took place on account of quarreling between the children of two families, the petitioners, above named, in the event of their arrest/ surrender before the 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 their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. case No. 336 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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