

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26864 of 2019

Arising Out of PS. Case No.-330 Year-2018 Thana- UCHKAGAON District- Gopalganj

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NASIM AHMAD @ SYED NASIM AJAZ @ NASIM AZAZ Son of Ezaj
Ahmad Resident of Village - Jhirwa, P.S.- Uchakogaon, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 24-04-2019 Heard both sides.

The petitioner apprehends his arrest in Uchakagaon
P.S. case No. 330 of 2018 registered under Section 341, 323,
307, 379, 504/34 of the IPC and u/s 27 of Arms Act.

The informant named the petitioner and three others
and alleged that on account of land dispute when the police
went away after pacifying the dispute, the petitioner, Azaj
Ahmad, Kasim Azaj and Faiyaz Ahmad having armed with gun
and Lathi came. When the informant protested the accused
persons started pelting stones. On the order of Azaj Ahmad
Nasim Ahmad fired which hit on the wall of house. Nasim
Ahmad assaulted the informant with butt of gun on his head.

The learned counsel for the petitioner submits that
there is counter version being Uchakagaon P.S. case No. 329 of



2018, which was registered on the basis of statement of Saiyed Ezaz Ahmad. There is land dispute between two sides. The petitioner and others have also received injuries. The injury found on the person of informant is simple in nature.

Taking into consideration the facts that there is case and counter case and both sides appeared to have entered into mutual assault on each other but the injury received by the informant on account of assault made by the petitioner is simple in nature, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Gopalganj in connection with Uchakagaon P.S. case No. 330 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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