

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27101 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- JOKIHAT District- Araria

1. Md. Raiful @ Raiful, Son of Guddar Resident of village- Balua Tappu Tola, Police Station- Mahalgaon, District- Araria.
2. Md. Rahbar @ Rahbar Alam, son of Manzoor Resident of village- Balua Tappu Tola, Police Station- Mahalgaon, District- Araria.
3. Md. Manowar @ Md. Manowar @ Manwar, Son of Manzoor Resident of village- Balua Tappu Tola, Police Station- Mahalgaon, District- Araria.
4. Md. Firoz @ Firoz, Son of Hafiz Resident of village- Balua Tappu Tola, Police Station- Mahalgaon, District- Araria.
5. Md. Manzoor @ Manzoor, son of Guddar Resident of village- Balua Tappu Tola, Police Station- Mahalgaon, District- Araria.
6. Md. Hafiz @ Hafiz, Son of Guddar Resident of village- Balua Tappu Tola, Police Station- Mahalgaon, District- Araria.
7. Md. Qaiyum @ Quiyum, Son of Guddar Resident of village- Balua Tappu Tola, Police Station- Mahalgaon, District- Araria.
8. Md. Tamiz @ Tamiz, Son of Guddar Resident of village- Balua Tappu Tola, Police Station- Mahalgaon, District- Araria.
9. Akbar Son of Tamiz Resident of village- Balua Tappu Tola, Police Station- Mahalgaon, District- Araria.
10. Md. Akhtar @ Akhtar, son of Tamiz, Resident of village- Balua Tappu Tola, Police Station- Mahalgaon, District- Araria.
11. Md. Mansoor @ Manzoor, Son of Mushab Ali, Resident of village- Balua Tappu Tola, Police Station- Mahalgaon, District- Araria.
12. Md. Rais @ Raish, Son of Mansoor, Resident of village- Balua Tappu Tola, Police Station- Mahalgaon, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Rajeev Nayan (App 231)

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 25-04-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.



The petitioners apprehend their arrest in connection with Jokihat (Mahalgaon) P.S. Case No. 05 of 2019 registered under Sections 147, 148, 149, 341, 323, 324, 307, 380, 504 and 506 of the Indian Penal Code.

The accusation is that at about 10 a.m. on 30.12.2018, Md. Raiful @ Raiful (petitioner no. 1) stopped Imamul, son of informant, in the way, while he was returning to his house after attending the coaching and started to abuse and assault. On hearing cry of Imamul, Mobsir, cousin of informant, rushed there then Md. Raful (petitioner no.1), Md Rahbar (petitioner no.2), Md. Manowar (petitioner no.3), Md. Firoz (petitioner no.4) started to abuse and caused injury to Md. Mobsir through fist and lathi. At that time, Md. Mobsir sustained iron rod injury at his head and Bibi Anwari also sustained injury at her head through bricks. When neighbours rushed to save and informed to the informant. Thereafter, informant reached at 11 p.m. at his house and made quarry to the incident then Md. Manzoor (petitioner no.5), Md. Hanif (petitioner no. 6), Md. Qaiyum (petitioner no.7), Md. Tamiz (petitioner no.8), Akbar (petitioner no.9), Md. Akthar (petitioner no.10), Md. Mansoor (petitioner no. 11) and Md. Rais (petitioner no. 12) having lathi and danda in their hand and started to cause assault, in which, Shamim sustained injury through Dabiya at his head whereas Rayajul also sustained iron rod injury at his head. When Moddsin, cousin of the informant, rushed to save then he was also assaulted by Md. Manjoor (petitioner no.5)



causing injury at his head.

Learned counsel for the petitioners submits that, in fact, occurrence took place due to land dispute, in which, petitioners' side also sustained injury, regarding which, Jokihat (Mahalgaon) P.S. Case No. 04 of 2019 is also instituted on the basis of written statement of petitioner no.5 against the informant of the present case and others. Moreover, injuries, as found on the person of the injured, are simple in nature and 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 six 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 Chief Judicial Magistrate, Araria, in connection with Jokihat (Mahalgaon) P.S. Case No. 05 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

