

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28189 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- KHODAWANDPUR District- Begusarai

1. Md. Taiyab Son of Late Md. Khalil Resident of Village-Bari Jana,P.S-Khodawandpur (Chhaurahi O.P.),District- Begusarai.
2. Md. Firdaus @ Md. Firdosh Son of Md. Taiyab Resident of Village-Bari Jana,P.S- Khodawandpur (Chhaurahi O.P.),District- Begusarai.
3. Mdm. Shamsheer @ Md. Shamsheer Son of Md. Taiyab Resident of Village-Bari Jana,P.S- Khodawandpur (Chhaurahi O.P.),District- Begusarai.
4. Md. Mohiuddin Son of Late Md. Jalil Resident of Village-Bari Jana,P.S-Khodawandpur (Chhaurahi O.P.),District- Begusarai.
5. Md. Asmaul @ Md. Asmaunuke Son of Md. Mohiuddin Resident of Village-Bari Jana,P.S- Khodawandpur (Chhaurahi O.P.),District- Begusarai.
6. Md. Ashique @ Aasif Son of Md. Taiyab Resident of Village-Bari Jana,P.S-Khodawandpur (Chhaurahi O.P.),District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 02-05-2019 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in connection with Khodawandpur (Chhaurahi O.P.) P.S. Case No. 19 of 2019 registered for the offence punishable under Sections 147, 149, 307, 354, 323, 385, 379, 448, 506/34 of the Indian Penal Code.

Eight accused persons including the petitioners, who happen to be neighbour of the informant are said to have



attacked on the informant and his family members by means of lathi and iron rod and made five victims injured in the occurrence. Out of them, Mariyam Khatoon has sustained grievous injury on her nose and other parts of her person.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land dispute. There is case and counter case between the parties. Allegation levelled against the petitioners is not specific rather general and omnibus. The injury sustained by the victims are simple in nature. The Title Suit pending between the parties since before has been decreed in favour of the petitioners. Petitioners have no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioners.

In 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) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Majhaul, District-Begusarai in connection with Khodawandpur



(Chhaurahi O.P.) P.S. Case No. 19 of 2019, subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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