

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1947 of 2019

Arising Out of PS. Case No.-255 Year-2018 Thana- BARHARIA District- Siwan

1. Nasruddin Mian @ Nasruddin Ali
2. Shamsher Ali @ Shamsher Alam
3. Shahzad Mian @ Shahzad Alam,
All sons of Hafiz Mian, resident of village Puraina, P.S. Barhariya, District Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Sri Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-01-2019 Heard both sides.

The petitioners apprehend their arrest in Barhariya P.S. Case No.255 of 2018 registered under Sections 147, 148, 149, 341, 323, 324, 379, 354B, 307, 380, 504 and 506 of the Indian Penal Code.

The informant alleged that while he was returning from Siwan, accused Hafiz Mian, Samsuddin Mian, Nasiruddin Mian (petitioner no.1) surrounded him and abused the informant. The petitioner no.1 is alleged to have snatched Rs.30,000/- from possession of the informant at the point of



pistol. Hafiz Mian and Samsuddin Mian brutally assaulted the informant with different weapons. The informant somehow came to his house but Nasiruddin Mian and others including petitioners came and assaulted the informant and others.

Learned counsel for the petitioners submits that prior to institution of the present case, Gulsan Khatoon wife of Abdul Hafiz gave her fardbeyan at Sadar Hospital, Siwan on 10.08.2018 that the accused persons including the petitioners assaulted her and others on account of land dispute. It is further submitted that from perusal of injury report of the informant and others, it would appear that they got body ache and injury on left elbow. The injuries found to be simple in nature. The injury reports do not corroborate the versions of the informant.

Having considered the fact that there is a case and counter case and injury sustained by the informant and his sons are simple in nature, the petitioners, above named, in the event of their arrest or surrender before the learned 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Barhariya



P.S. Case No.255 of 2018, subject to the conditions as laid
down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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