

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33285 of 2019

Arising Out of P.S. Case No.-394 Year-2018 Thana- GHORASAHAN District- East
Champaran

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1. MD ABDUL KHAIR @ ABUL KHAIR, aged about 55 years, Male, Son of Farjan Mian @ Farman Miya Resident of Village - Nagarwa Tola, P.S.- Ghorasahan, District- East Champaran
 2. Ashique, aged about 30 years, Male, Son of Ful Mohammad Resident of Village - Nagarwa Tola, P.S.- Ghorasahan, District- East Champaran
 3. Abdul Manan, aged about 25 years, Male, Son of Abdul Khair @ Abul Khair Resident of Village - Nagarwa Tola, P.S.- Ghorasahan, District- East Champaran
 4. Noor Jahan, aged about 60 years, female, Wife of Nak Mahmad Resident of Village - Nagarwa Tola, P.S.- Ghorasahan, District- East Champaran
 5. Sabaya Khatoon, aged about 40 years, female, Wife of Raju @ Rajudeen Ansari Resident of Village - Nagarwa Tola, P.S.- Ghorasahan, District- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Umesh Chandra Verma, Advocate
For the Opposite Party	:	Mr.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 341, 323, 324, 325, 380, 504, 506 and 307 of the Indian Penal Code.

As per FIR, it is alleged that all the accused persons were armed with iron rod, *farsa* and *lathi* and assault was made



from both sides. It is also alleged that the accused persons assaulted the informant and his family members.

It is submitted on behalf of the petitioners that there is general and omnibus allegation against the petitioners. It is further submitted that there is case and counter case in between the parties. It is further submitted that after investigation, the police has submitted chargesheet under bailable Sections. However, the learned SDJM, Sikraha, Dhaka took cognizance even under Sections 307 and 506 of the IPC. All the injuries have been found to be simple in nature. Petitioners have clean antecedent.

Considering the facts aforesaid, let the petitioners above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikraha, Dhaka, District-East Champaran at Motihari/successor Court in connection with Trial No.3315 of 2019 arising out of Ghorasahan P.S.Case No.394 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the



petitioners shall fully cooperate with the investigation and trial
of the case, failing which the court below shall be at liberty to
cancel the bail bonds of the petitioners.

(Prabhat Kumar Singh, J)

B.Kr./-

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