

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43328 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- SRINAGAR District- West Champaran

1. Ainullah Kha @ Ainullah Khan, Son of Late Idrish Khan, Resident of Village - Pujha, Patjirwa, Shekh Toli, P.S.- Srinagar Pujha, District - West Champaran.
2. Mainuddin Khan, Son of Late Rehman Khan, Resident of Village - Pujha, Patjirwa, Shekh Toli, P.S.- Srinagar Pujha, District - West Champaran.
3. Saifullah Shekh @ Shekh Saifullah, Son of Shekh Salauddin, Resident of Village - Pujha, Patjirwa, Shekh Toli, P.S.- Srinagar Pujha, District - West Champaran.
4. Shekh Mazmullah, Son of Shekh Salauddin, Resident of Village - Pujha, Patjirwa, Shekh Toli, P.S.- Srinagar Pujha, District - West Champaran.
5. Shekh Salauddin Khan @ Shekh Salauddin, Son of Late Abdul Karim, Resident of Village - Pujha, Patjirwa, Shekh Toli, P.S.- Srinagar Pujha, District - West Champaran.
6. Arif Khan @ Arif Khana, Son of Akbar Khan, Resident of Village - Pujha, Patjirwa, Shekh Toli, P.S.- Srinagar Pujha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 15-07-2019 Heard learned counsel for the petitioners, learned counsel for the informant and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Srinagar Pujha P.S. Case No. 08 of 2019, registered under Sections 147, 149, 341, 323, 324, 325, 307, 379 and 504 of the Indian Penal Code.

The accusation is that after receiving the



information on telephone to the effect that his son-in-law, Sk. Reyaz was being assaulted by his co-villagers then informant reached there and tried to save his son-in-law, Sk. Reyaz. In the meantime, seven persons named in the F.I.R. including the petitioners came having iron rod and Farsa in their hands and on the order of Sk. Gulfan, petitioner no.1 Aniullah Khan, gave Farsa blow at his head. On raising alarm, Sk. Pappu, Sk. Nazre, Sk. Aftab and Sk. Anies came there to save him then Mainuddin Khan (petitioner no.2) caused injury at the head of Sk. Pappu, Sk. Salauddin Khan (petitioner no. 5) caused injury at the head of Sk. Aftab and Sk. Mazmullah Khan caused injury at the head of Sk. Anies through iron rod. In the meantime, Sk. Salauddin Khan (petitioner no. 5) took cash of Rs.25,000/- from the pocket of the informant.

Learned counsel for the petitioners submits that due to some dispute, occurrence took place, in which, petitioners' side also sustained injury, regarding which, Srinagar Pujha P.S. Case No. 09 of 2019 is also instituted on the basis of written report of petitioner no. 5. Moreover, the injuries, as found on the person of informant and others, are simple in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the



event of his 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 learned J.M. Ist Class, Bettiah, West Champaran, in connection with Srinagar Pujha P.S. Case No. 08 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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