

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38879 of 2019

Arising Out of PS. Case No.-7 Year-2019 Thana- AMDABAD District- Katihar

1. Mustikim Nadaf, S/o Atim Nadaf Resident of Navratanpur, P.S-Amdabad, District-Katihar.
2. Biru Nadaf S/o Atim Nadaf Resident of Navratanpur, P.S-Amdabad, District-Katihar.
3. Najma Khatoon W/o Atim Nadaf Resident of Navratanpur, P.S-Amdabad, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Amdabad P.S. Case no. 07 of 2019, registered under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

The accusation is that due to land dispute, 11 persons named in the F.I.R., including the petitioners, having armed with lathi, danda and iron rod came near the informant and started abusing and assaulting to him. At that time Atim Nadaf caused injury at the head of informant through iron rod



and Gausul Nadaf caused injury at the head and hands of Jamshed Ansari, brother of the informant. At that time petitioner No.3 Najma Khatoon caused injury at the head and finger of Imarti Khatoon.

Learned counsel for the petitioners submits that occurrence took place due to land dispute in which petitioners' side also sustained injury regarding which Amdabad P.S. Case No. 8 of 2019, under section 341, 323, 325, 504 and 506/34 on 10.01.2019 on the basis of fardbeyan of co-accused Atim Nadaf against the informant and other of the present case. Further submission is that the injury as found on the person of informant and his sister in law Imarti Khatoon are simple in nature, whereas the injuries found on the person of Jamshed Ansari, brother of the informant, are simple in nature, except injury No.3, which is grievous in nature, but the injury No.3 is attributed against the Gausul Nadaf.

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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial



Magistrate, 1st Class, Katihar in connection with Amdabad P.S.
Case No. 07 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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