

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39282 of 2019**

Arising Out of PS. Case No.-271 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

1. Sanjay Mian @ Sanjai Alam @ Sanajy Alam, Son of Lallu Mian @ Lal Mahamad Miyan Resident of Village- Balhan, P.S.- Baikunthpur, District- Gopalganj.
2. Idris Mian @ Idrish Husain Miya Son of Raja Miya Resident of Village- Balhan, P.S.- Baikunthpur, District- Gopalganj.
3. Mainuddin Mian @ Mainudin Miyaan Son of Aas Mohammad Miyaan Resident of Village- Balhan, P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Amarendra Prasad

**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 Baikunthpur P.S. Case no. 271 of 2018, registered under Sections 147, 148, 149, 323, 324 and 307 of the Indian Penal Code.

The accusation is that ten persons named in the F.I.R., including the petitioners, attacked at the informant Jalil Mian in which he sustained blood oozing head injury. At that time, Idrish Mian caused injury at the head of informant through tangi, when family members of the informant i.e. Rehan Bibi, Anul Bibi, Md. Rafiq Mian, Saddam Mian, Jalil Mian Safia Mian, Allauddin Mian came to rescue the informant



then they were also assaulted.

Learned counsel for the petitioners submits that there are general and omnibus allegation has been levelled against the petitioners. Further submission is that the injuries as found on the person of informant and other injured are simple in nature, except, one injury sustained by Allaudin Mian at his left elbow. Further submission is that occurrence took place due to land dispute in which petitioners side also sustained injury regarding which Baikunthpur P.S. Case No. 272 of 2018, under sections 147, 148, 149, 323, 324 and 307 of the Indian Penal Code was instituted against the informant and others.

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) each with two sureties of the like amount each to the satisfaction of the J.M.1st Class, Gopalganj in connection with Baikunthpur P.S. Case No. 271 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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