

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40482 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- RANIGANJ District- Araria

1. AISAM @ NIJAKAT @ AHSAN @ Nizhaat S/o Abunasar R/o village- Dhama Ward No. 20, P.S.- Raniganj (R.S.), District- Araria
2. Afsana W/o Abunasar R/o village- Dhama Ward No. 20, P.S.- Raniganj (R.S.), District- Araria
3. Waris S/o Late Mazuddin R/o village- Dhama Ward No. 20, P.S.- Raniganj (R.S.), District- Araria
4. Sayal @ Shayaque @ Shaek S/o Late Mazuddin R/o village- Dhama Ward No. 20, P.S.- Raniganj (R.S.), District- Araria
5. Jumman S/o Late Mazuddin R/o village- Dhama Ward No. 20, P.S.- Raniganj (R.S.), District- Araria
6. Zahid @ Zahida @ Zahida Khatoon W/o Jumman R/o village- Dhama Ward No. 20, P.S.- Raniganj (R.S.), District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anamul Haque

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Raniganj (R.S.) P.S. Case No.66 of 2019 registered under Sections 341, 323, 324, 379, 506 and 504/34 of the Indian Penal Code.

The accusation is that Abunasar, Mokdash, Ahsan (petitioner no.1) and Afsana (petitioner no.2), due to land



dispute, came at the door of the informant Taslim and, thereafter, hot exchange of words started in between them. In the meantime, while the informant tried to convince them but Abunasar caught hold the informant and Mokdas caused injury on his forehead through Farsa, whereas Ahsan (petitioner no.1) and Afsana (petitioner no.2) caused injury to the informant through lathi and danda. Thereafter, by raising alarm, Afsana (petitioner no.2), called Waris (petitioner no.3), Shaek (petitioner no.4), Jumman (petitioner no.5) and Zahida (petitioner no.6) there. In the meantime, Shamshad, Jainab and Kaisar, the son, daughter-in-law and grandson of the informant respectively rushed to save the informant, then they also caused injury to them by causing assault. In that course, Afsana (petitioner no.2) snatched the silver chain from the neck of the daughter-in-law of the informant.

Learned counsel for the petitioners submits that, in fact, due to land dispute, the occurrence of “Maar-Peet” took place in between the parties in which the petitioners’ side also sustained injury regarding which on the basis of the fardbeyan of Md.Shaek (petitioner no.4), Raniganj (R.S.) P.S. Case No.54 of 2019 under Sections 147, 149, 341, 323, 324, 379 and 504 of the Indian Penal Code was also instituted against the informant



and others. Moreover, there is specific allegation against the co-accused Mokdas to cause injury at the forehead of the informant through Farsa. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Araria, in connection with Raniganj (R.S.) P.S. Case No.66 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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