

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49019 of 2019

Arising Out of PS. Case No.-402 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. MOHD PARVEJ @ PARVEJ ALAM Son of Mohd. Jainul Resident of Village/ Town- Rahamatpur, P.S.- Samastipur Mufassil, District- Samastipur.
 2. Mohd. Javed S/o Mohd. Jainul Resident of Village/ Town- Rahamatpur, P.S.- Samastipur Mufassil, District- Samastipur.
 3. Jarina Begum @ Jarina Khatoon W/o Mohd. Jainul Resident of Village/ Town- Rahamatpur, P.S.- Samastipur Mufassil, District- Samastipur.
 4. Hashina Begum @ Hashina Khatoon W/o Mohd. Parvej Resident of Village/ Town- Rahamatpur, P.S.- Samastipur Mufassil, District- Samastipur.
 5. Samida Begum @ Samida Khatoon W/o Mohd. Javed Resident of Village/ Town- Rahamatpur, P.S.- Samastipur Mufassil, District- Samastipur.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioner	:	Ms. Aprajita, Advocate.
For the State	:	Mr. Mukeshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Samastipur Mufassil P.S. Case No.402 of 2018 registered under Sections 147, 149, 307, 323, 324, 341, 337, 504 and 506 of the Indian Penal Code.

The accusation is that six persons, named in the F.I.R., including the petitioners started to construct the house covering the village path. When the informant made protest, then all



started pelting bricks and causing assault through fists, due to which the informant sustained injury on his forehead through brick and he fell down. Thereafter, they caused injury to the informant through knife on his mouth, due to which the informant became unconscious. When the family members of the informant rushed to save him, then the petitioner no.1 and the petitioner no.2 caused injury to the five sons and the wife of the informant. At that time, Jahid and his sister Akhtari Khatoon also assaulted them. All caused injury to them through rod and knife.

Learned counsel for the petitioners submits that due to land dispute, the occurrence of “Maar-Peet” took place between the parties in which both sides sustained injury. Moreover, the injury as found on the person of the informant and others is simple in nature. 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 Additional Chief Judicial Magistrate-V, Samastipur, in connection with Samastipur



Mufassil P.S. Case No.402 of 2018, subject to the conditions
laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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