

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47425 of 2019

Arising Out of PS. Case No.-164 Year-2019 Thana- CIVIL LINE District- Gaya

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1. Shamshun Nisha Wife of Md. Aftab Alam Resident of Mohalla-Samir Takiya, Masjid Gali, P.S-Civil Lines, District-Gaya.
 2. Md. Aftab Alam Son of Abdus Sattar Resident of Mohalla-Samir Takiya, Masjid Gali, P.S-Civil Lines, District-Gaya.
 3. Dilshad @ Rauki Son of Md. Aftab Alam Resident of Mohalla-Samir Takiya, Masjid Gali, P.S-Civil Lines, District-Gaya.
 4. Alaqama Tabrez @ Siddu Son of Md. Aftab Alam Resident of Mohalla-Samir Takiya, Masjid Gali, P.S-Civil Lines, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-07-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners apprehend their arrest in connection with Civil
Lines P.S. Case No. 164 of 2019 registered for the offence under
Sections 323, 341, 504, 506, 427, 354(B) and 307/34 of the Indian
Penal Code.

The allegation against the petitioners is that the petitioners
on the date of occurrence started demolishing the wall of bathroom of
the informant and when they were objected they assaulted the mother
of the informant on her leg, chest and other parts of the body.

Learned counsel for the petitioners submits that both the



petitioners as well as the prosecution side are neighbours and there is a dispute with regard to passage between the two. He further submits that there is a case and a counter case inasmuch side of the petitioners has lodged as Civil line P.S. Case No. 166 of 2019 for the same incident. He further submits that no injury has been caused to the informant's mother as would be evident from the impugned order.

After having heard learned counsel for the petitioners and taking into consideration the fact that both the parties are neighbours and no serious injuries have been found on the person of the victim girl, I am inclined to enlarge the petitioners on bail. Let the petitioners, above named, in the event of their arrest or surrender before the court below within four weeks from today be enlarged on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in Civil Lines P.S. Case No. 164 of 2019 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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