

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57670 of 2019

Arising Out of PS. Case No.-107 Year-2019 Thana- AAJAM NAGAR District- Katihar

1. Sattar @ Abdul Sattar, Son of Abjal Resident of Village- Bairiya, Police Station- Azam Nagar, District- Katihar.
2. Dil Mohammad @ Domra, Son of Late Musabali Resident of Village- Bairiya, Police Station- Azam Nagar, District- Katihar
3. Mustajim, Son of Meraj Resident of Village- Bairiya, Police Station- Azam Nagar, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Azam Nagar P.S. Case No.107 of 2019 for the offence punishable under Sections 341, 323, 379, 307, 504 and 506/34 of the Indian Penal Code.

The allegation against the petitioners is that petitioners assaulted the informant and started abusing. It has further been alleged that co-accused, Jahid, assaulted the informant on his head by means of 'Baki' (sharp cutting weapon).

Learned counsel appearing for the petitioners submits that both the parties are co-sharer and there is case and counter case between them inasmuch as Azam Nagar P.S. Case No.116 of 2019



has been lodged by the side of the petitioners against the informant and others. Learned counsel further submits that there is land dispute between the parties and referring to Annexure-3, which is injury report of the informant. Learned counsel further submits that all the injuries caused to the informant have been found to be simple in nature.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the both the parties are co-sharer, there is case and counter case between them and the injuries caused to the informant are simple in nature, as such, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

