

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57993 of 2019

Arising Out of PS. Case No.-219 Year-2019 Thana- KISHANGANJ District- Kishanganj

1. RUBEDA KHATOON Wife of Zahiuddin @ Zahiruddin @ Zahir Hussain @ Md Zahiruddin @ Md Zahir Hussain
2. Lushi Praween @ Lusi Praween Wife of Muzaffar Hussain
3. Zahiuddin @ Zahiruddin @ Zahir Hussain @ Md. Zahiruddin @ Md. Zahir Hussain Son of Rahim @ Abdul Rahim
All resident of Village - Nunia Basti Farshadangi, P.S. +District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Bharat Bhushan (APP156)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 18-09-2019 Heard both sides.

The petitioners apprehend their arrest in Kishanganj P.S. Case No.219 of 2019 registered under Sections 341, 323, 307, 504, 506, 379, 34 of the Indian Penal Code.

The informant named as many as six persons including these three petitioners and alleged that while he was returning from his shop, Rubeda Khatoon(petitioner No.1), Rahina Khatoon and daughter-in-law of Rubeda Khatoon were putting firewood on his land. The informant forbid them on such, Zahiruddin(petitioner No.3), Muzaffar Hussain, Rubeda Khatoon, Rahina Khatoon and wife of Muzaffar came. They



were armed with different weapons. On the order of Zahiruddin, Muzaffar assaulted the informant with iron rod on his head. Muzaffar repeatedly made three blows on the head of the informant. Other accused persons also indiscriminately assaulted the informant.

The learned counsel for the petitioners submits that there is a counter version being Kishanganj P.S. Case No.220 of 2019. The informant got one injury which is opined to be dangerous to life but Muzaffar is alleged to have repeatedly assaulted with iron rod. Other two persons are assaulted but the injuries are simple in nature.

It appears that both sides on account of land dispute entered into scuffle on each other and there is no specific allegation of assault against the petitioners.

Taking into consideration the facts aforesaid, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No.219 of 2019, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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