

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54346 of 2019

Arising Out of PS. Case No.-196 Year-2019 Thana- JOKIHAT District- Araria

1. ABDUL QUDDUS Son of Late Asowar Ali Resident of Village-Darshana Ward no.03, Police Station-Jokihat, District-Araria.
2. Bibi Ahmadi Wife of Abdul Quddus Resident of Village-Darshana Ward no.03, Police Station-Jokihat, District-Araria.
3. Aftab Son of Abdul Quddus Resident of Village-Darshana Ward no.03, Police Station-Jokihat, District-Araria.
4. Askar Son of Abdul Quddus Resident of Village-Darshana Ward no.03, Police Station-Jokihat, District-Araria.
5. Farida Daughter of Abdul Quddus Resident of Village-Darshana Ward no.03, Police Station-Jokihat, District-Araria.
6. Jamshed Son of Ani Resident of Village-Thamkol, Police Station-Jokihat, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 29-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Jokihat P.S. Case No.196 of 2019 registered under Sections 341, 323, 324, 379, 447, 354, 504 and 307/34 of the Indian Penal Code.

The accusation is that the petitioner no.1, the brother of the informant Md. Shahid Alam, was selling the soil after



cutting the same from the land of the informant. On 07.05.2019 at 12.00 O'clock, when the informant forbade the petitioner no.1 to do so, then the petitioner no.1 along with others including the other petitioners started to abuse and cause assault to the informant through feets, fists and slaps and danda. At that time, the petitioner no.1 caused injury at the head of the informant through Dabia, whereas the petitioner no.2 started to cause assault at the neck of the informant through bamboo indiscriminately. The petitioner no.6 also forcibly cut the soil from the land of the informant. In the occurrence of "Maar-Peet", the wife of the informant, who rushed to save the informant, was also assaulted by the petitioner nos.3, 4 and 5 and Hamida through fists and slaps, after catching her hair and dashing her on the ground.

Learned counsel for the petitioners submits that due to land dispute, the occurrence of "Maar-Peet" took place between the parties in which the petitioners' side also sustained injury regarding which on the basis of the written report of the petitioner no.1, Jokihat P.S. Case No.197 of 2019 was also instituted against the informant of the present case and his family members. Moreover, the injuries, as found on the person of the informant and his wife are 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 Chief Judicial Magistrate, Araria, in connection with Jokihat P.S. Case No.196 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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