

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60534 of 2019

Arising Out of PS. Case No.-321 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Md. Firdaus, Son of Md. Mobin R/o Village- Rahimpur Rudauli, P.S.- Muffasil Samastipur, District- Samastipur.
 2. Md. Cash Son of Md. Mobin R/o Village- Rahimpur Rudauli, P.S.- Muffasil Samastipur, District- Samastipur.
 3. Md. Galib @ Md. Kalib Son of Md. Tanveer Alam R/o Village- Rahimpur Rudauli, P.S.- Muffasil Samastipur, District- Samastipur.
 4. Md. Khalid @ Md. Khalib Son of Md. Tanveer Alam R/o Village- Rahimpur Rudauli, P.S.- Muffasil Samastipur, District- Samastipur.
 5. Md. Abid Raza @ Md. Aabid Raje Son of Md. Masoom Raza R/o Village- Rahimpur Rudauli, P.S.- Muffasil Samastipur, District- Samastipur.
 6. Md. Amir Son of Md. Masoom Raza R/o Village- Rahimpur Rudauli, P.S.- Muffasil Samastipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagnnath Singh

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 25-09-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Muffasil P.S. Case no. 321 of 2019, registered under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

The accusation is that at about 9.00 P.M. on 02.07.2019, informant Md. Gilani was at bridge situated in his village, at that time, 11 persons named in the F.I.R., including the petitioners, and some other unknown variously armed with



weapons came there and attacked on him. At that time, Md. Sarfaraz Alam, Gulame Gaush, Abid Kha caused injury to him and also Ajaj, Sehjan Rayaj Hussan and Fakre Alam through sword. The cause of occurrence is of land dispute.

Learned counsel for the petitioners submits that while petitioners are named in the F.I.R., but no specific overt act has been attributed against the petitioner. Moreover, while allegation has been made in the F.I.R. about causing injury to the informant and others through sword, but no sharp cutting injury was found on the person of informant and others. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-V, Samastipur in connection with Muffasil P.S. Case No. 321 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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