

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59030 of 2019

Arising Out of PS. Case No.-62 Year-2018 Thana- MORKAHI District- Khagaria

1. Md. Kismat, Son of Md. Mazid Resident of Village - Sabalpur, P.S.- Morkahi, District - Khagaria.
2. Md. Mazhar, Son of Md. Salauddin Resident of Village - Sabalpur, P.S.- Morkahi, District - Khagaria.
3. Md. Faiyaz, Son of Md. Salauddin Resident of Village - Sabalpur, P.S.- Morkahi, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Morkahi P.S. Case No. 62 of 2018, registered under Sections 448, 341, 323, 307, 354(B), 504, 506, 379, 147 and 179 of the Indian Penal Code.

The accusation is that in the morning of 01.06.2019, informant Rabina Khatoon was cleaning her courtyard. In the meantime, six persons named in the F.I.R. including the petitioners having lathi, danda, iron rod and country made pistol came there and on the order of Md. Kismat (petitioner no. 1),



Md. Shalaluddin laid down her on the ground. Thereafter, she raised alarm then Md. Faiyaj (petitioner no.3) caused injury through pistol at her head. When her husband, Md. Akbar came to save her then Md. Mumtaj @ Bhojo assaulted him through rod causing injury at his head. Thereafter, Md. Asgar and Mkd. Hakim also came there then they were also assaulted by the accused.

Learned counsel for the petitioners submits that occurrence took place due to petty dispute, in which, petitioners' side also sustained injury, regarding which, Morkahi P.S. Case No. 63 of 2018 is instituted on the basis of written report of Md. Salauddin. Further submission is that after investigation, police submitted the charge sheet under Sections 147, 149, 448, 341, 323, 308, 354B, 504, 506 and 379 of the Indian Penal Code. Moreover, the injuries, as found on the person of the informant and others, are simple in nature.

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 six 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 Learned S.D.J.M.,



Khagaria, in connection with Morkahi P.S. Case No. 62 of 2018,
subject to the condition as laid down under Section 438(2) of
the Cr.P.C.

(Rajendra Kumar Mishra, J)

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