

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68114 of 2019

Arising Out of PS. Case No.-164 Year-2019 Thana- BISFI (PATAUNA) District- Madhubani

1. GINNI KHATOON Wife of Abdul Khudush @ Chotu Resident of Village-Parsauni, Police Station-Bisfi (Patauna), District-Madhubani.
2. Md. Rahmat @ Samantullah @ Ramatullah Son of Md. Abdul Hai Resident of Village-Parsauni, Police Station-Bisfi (Patauna), District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 15-11-2019 As prayed for, learned counsel for the petitioners is permitted to make necessary correction in the cause title of this application with regard to the father's name of the petitioner no.2 within course of the day.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bisfi (Patauna) P.S. Case No.164 of 2019/G.R. No.437 of 2019 registered under Sections 341, 323, 324, 307, 384, 504, 506 and 379/34 of the Indian Penal Code.

The accusation is that on 08.06.2019, Md. Abdul Hai, the uncle of the informant Irshad, was engaged in



constructing the house on his land, without leaving the land towards the courtyard of the informant, fixing the window. Thereafter, the informant made protest and arranged Panchayati, who decided to close the window but Md. Abdul Hai did not pay any heed. Due to that reason, Md. Barkatullah alias Ful, Samantullah (petitioner no.2), Nasima Khatoon, Ginni Khatoon (petitioner no.1) came there. At that time, Md. Barkatullah alias Ful dragged the mother of the informant to his courtyard and caused injury on her head through Farsa. Petitioner no.2 caused injury at the head of the informant through iron rod. Others also caused injury to him through lathi and Bhala. At that time, Nasima Khatoon snatched the gold chain from the neck of the mother of the informant.

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 fardbeyan of Jahana Khatoon, Bisfi (Patauna) P.S. Case No.160 of 2019 was also instituted against the informant of the present case and others. Moreover, the injuries, as found on the person of the informant and his mother, are simple in nature.

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 Additional Chief Judicial Magistrate, Benipatti, Madhubani, in connection with Bisfi (Patauna) P.S. Case No.164 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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