

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 83364 of 2019

Arising Out of PS Case No.-160 Year-2019 Thana- DULHIN BAZAR District- Patna

1. Md. Saraj @ Sarazuddin @ Md. Serazuddin @ Md. Seraj, aged about 53 years, Gender-Male, Son of Late Habibul Rahman Resident of Village- Bharatpura, P.S.- Dulhin Bazar, District- Patna.
2. Md. Noorzada @ Noorzada, aged about 26 years, Gender-Male, Son of Md. Gilani, Resident of Village- Bharatpura, P.S.- Dulhin Bazar, District- Patna.
3. Md. Sukhloo, aged about 22 years, Gender-Male, Son of Md. Gilani Resident of Village- Bharatpura, P.S.- Dulhin Bazar, District- Patna.
4. Md. Bhonda, aged about 19 years, Gender-Male, Son of Md. Gilani Resident of village- Bharatpura, P.S.- Dulhin Bazar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 17-12-2019

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend arrest in connection with Dulhin Bazar PS Case No. 160 of 2019 dated 19.06.2019 instituted under Sections 147, 148, 149, 341, 323, 307, 325 and 504 of the Indian Penal Code.

3. The petitioners, along with five others, are accused of general assault on the informant and others due to dispute relating to measurement of land.



4. Learned counsel for the petitioners submitted that there is also a counter case for the same incident and there has been injuries on the side of the petitioners also. It was submitted that the injury on the informant and others of the present case is simple in nature which also did not require any admission to the hospital whereas, the injury suffered by the petitioners side is more serious as they had to be admitted to PMCH for treatment. It was submitted that the parties are co-villagers and on a petty dispute relating to measurement of land, some incident took place on the spur of the moment without there being any premeditation or planning. It was submitted that even as per the FIR, the blows were with iron rod and danda and further that there is no specific allegation of any particular person hitting any of the injured. It was submitted that the petitioners have no criminal antecedent.

5. Learned APP submitted that the petitioners are accused of having assaulted the informant side.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within four weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) each with two sureties of the like amount each to the satisfaction of the



learned JM First Class, Danapur in Dulhin Bazar PS Case No. 160 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973. Further, the petitioners and the bailors shall give an undertaking to the Court with regard to their good behaviour. Any violation of the undertaking shall lead to cancellation of their bail bonds.

7. The application stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

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