

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11319 of 2020

Arising Out of PS. Case No.-175 Year-2019 Thana- BANKA District- Banka

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1. MD. SULTAN @ SULTAN Son of Mousim Resident of Village - Khadihara, P.S.- Barahat, District - Banka
 2. Haidar Son of Md. Sultan @ Sultan Resident of Village - Khadihara, P.S.- Barahat, District - Banka
 3. Konain Son of Md. Sultan @ Sultan Resident of Village - Khadihara, P.S.- Barahat, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-10-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

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

The petitioners apprehend their arrest in Banka (Barahat) P.S. Case No. 175 of 2019, registered for the offences punishable under Section 307, 379 and other allied sections of the Indian Penal Code.

Prosecution case in brief is that on 07.03.2019 at about 8.30 pm, while the informant was coming from Golahu to



his house Karihara by Cycle, on his way, petitioners variously armed surrounded him and started abusing and pushing and petitioner no. 2 is alleged to have assaulted with iron rod on his head causing head injury and petitioner no. 3 is alleged to have assaulted with Danda causing injuries on his arm and it is further alleged that petitioner no. 2 snatched Rs. 15,000/- from the pocket of informant. Petitioner no. 3 took out pistol from his waist and threatened him of dire consequence.

It is submitted that petitioners have been falsely implicated in this case. Admittedly, there is land dispute between the parties. There is general and omnibus allegation. Injuries have been found to be simple in nature caused by hard and blunt substance. No case under Section 307 and 379 is made out against the petitioners. Petitioners have got clean antecedent as stated in para 3 of the bail petition.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail 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 Additional Sessions Judge II, Banka



in connection with Banka (Barahat) P.S. Case No. 175 of 2019,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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