

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72131 of 2018

Arising Out of PS. Case No.-551 Year-2013 Thana- ARARIA District- Araria

1. Md. Islam Sah @ Islam Sah @ Md. Islam S/o- Md. Salim.
 2. Nezam, S/o- Md. Salim.
 3. Bibi Khairun Nisha S/o- Md. Salim.
 4. Bibi Dukhni, W/o- Nezam.
 5. Nasrin Khatoon, D/o- Islam.
- All are resident of Village- Pakaria, Farauta, P.S. Araria, District- Araria.

... .. Petitioners.

Versus

The State Of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Md. Naushad Uzzoha, Advocate.
For the State	:	Mr. Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 03-02-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Araria P.S. Case No.551 of 2013 registered under Sections 147, 148, 149, 323, 307, 379 and 506 of the Indian Penal Code.

The accusation is that 8 persons, named in the F.I.R., including the petitioners having lathi and danda in their hand came near the informant and started to abuse and caused injury to the informant and her other family members. In that course, the petitioner no.1 caused injury at the head and right hand of Suleman through lathi and danda. At that time, the petitioner



no.3, petitioner no.4 and the petitioner no.5 caused injury at the head of the informant through lathi and danda.

Learned counsel for the petitioners submits that while the allegation has been made against the petitioner no.1 to cause injury at the head and right hand of Suleman but the injury, as found on his person, is simple in nature. While there is general and omnibus allegation against the petitioner nos.3, 4 and 5 to cause injury at the head of the informant but only one injury was found on the occipital region of the informant, which is said to be grievous in nature. In fact, due to land dispute, the occurrence of quarrel and scuffle took place between the parties in course of which, the informant fell down on the ground and sustained injury on her head but with an ulterior motive, the petitioner nos.3, 4 and 5, who are ladies, have also been falsely implicated in this case with the allegation to cause injury on the head of the informant.

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 Chief Judicial Magistrate,



Araria, in connection with Araria P.S. Case No.551 of 2013,
subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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