

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84983 of 2019

Arising Out of PS. Case No.-94 Year-2019 Thana- BITHAN BAZAR District- Samastipur

1. HASAN RAZA @ HASAN RAJA Son of Md. Asadullah Resident of Village- Salha Bujurg Bithan, P.S.- Bithan, District- Samastipur.
2. Kashif Raza @ Kasif Raja Son of Md. Asadullah Resident of Village- Salha Bujurg Bithan, P.S.- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mrs.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 26-06-2020 Heard both sides.

The petitioners apprehend their arrest in Bithan P.S. case No. 94/2019 registered under Section 147, 148, 149, 307, 323, 324, 325, 341, 342, 379, 447, 448, 505, 506 of the IPC.

The matter has been taken up through video conferencing.

The informant named the petitioners along with four other accused persons and alleged that some altercation took place on account of land dispute. On 06.10.2019 all the accused persons having armed with different weapons came. Hasan Raza, petitioner No.1, assaulted the informant with iron rod on his head. Kashif Raza assaulted Naima Khatton and Rashid Hussain with Farsa on their head. Thereafter, all the accused persons are alleged to have assaulted the informant.

The learned counsel for the petitioners submits that the petitioners are co-villagers. On account of land dispute some



occurrence took place. There is counter version. The petitioner No.1 is alleged to have assaulted the informant with iron rod on his head but the injury is simple in nature. Petitioner No.2 is alleged to have assaulted Naima Khatton and Rashid Hussain with Farsa on their head but both of them got simple injuries. Two injuries on the hand of informant were found to be grievous on account of fracture of meta carpal bone but the petitioners are not the author of the injuries found on the hand of the informant.

Considering the facts aforesaid and nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to 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 learned Sub divisional Judicial Magistrate, Rosera in connection with Bithan P.S. case No. 94/2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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