

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 29733 of 2021

Arising Out of PS. Case No.-159 Year-2020 Thana- KUNDWACHAINPUR District- East
Champaran

-
1. Abdul Kadir @ Abdul Quadir, aged about 70 years, Male Son of Late Md. Siddique @ Saddik.
 2. Nazrul Mobin, aged about 34 years, Male Son of Abdul Kadir @ Abdul Quadir.
 3. Nahida @ Amila @ Nahida Begum, aged about 23 years, Female Daughter of Abdul Wafa.
 4. Afsari Begum, aged about 47 years, Female Wife of Abdul Wafa.
- All are resident of Village Gavandari, P.S. Kundwa Chainpur, District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 30233 of 2021

Arising Out of PS. Case No.-159 Year-2020 Thana- KUNDWACHAINPUR District- East
Champaran

-
1. Narul Amin, aged about 27 years, Male Son of Abdul Quadir @ Abdul Kadir.
 2. Amamul Hassan @ Emamul Hassan, aged about 23 years, Male Son of Abdul Wafa.
 3. Sadik, aged about 27 years, Male Son of Nazir.
 4. Sehara Khatoon @ Sahara Khatoon, aged about 67 years, Female Wife of Abdul Quadir @ Abdul Kadir.
 5. Nazir, aged about 63 years, Male Son of Late Md. Siddique @ Saddik.
 6. Harun, aged about 58 years, male Son of Late Md. Siddique @ Saddik.
 7. Mozamil @ Mojamil, aged about 45 years, Male Son of Sabbir.
 8. Tabrej @ Tabrez, aged about 42 years, Male Son of Abdul Manan.
 9. Abulaish @ Abulesh, aged about 70 years, Male Son of Hazi Wasi Ahmad.
 10. Akhalakh @ Akhalak, aged about 65 years, Male Son of Hazi Wasi Ahmad.
 11. Obaidulla @ Abdulla @ Munna, aged about 50 years, Male Son of Hazi Wasi Ahmad.
- All are resident of Village- Gavandari, P.S.- Kundwa Chainpur, District- East Champaran.

... .. Petitioner/s



Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 29733 of 2021)

For the Petitioner/s : Mr. Rajesh Roy, Adv.
Mr. Pramod Kumar Prasad, Adv.
Mr. Ravindra Kumar, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

(In CRIMINAL MISCELLANEOUS No. 30233 of 2021)

For the Petitioner/s : Mr. Rajesh Roy, Adv.
Mr. Ravindra Kumar, Adv.

For the Opposite Party/s : Mr. Khurshid Anwar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 02-03-2022 The learned counsel for the petitioners is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioners as well
as the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection
with Kundwa Chainpur P.S. Case No. 159 of 2020, registered
for the offences punishable under Sections 147, 148, 149, 323,
324, 307, 379, 448, 354, 504, 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that as per
the allegation of the informant Wahida Khatoon, who was
preparing meal at her home, 15 accused persons entered into
her house and petitioner no. 2, Nazrul Mobin assaulted her with
kick and fat, when her father Abdul Kadir @ Abdul Quadir



came there to rescue her, accused-petitioner no. 2, Nazrul Mobin assaulted with farsa blow on his head. When the informant's brother came to rescue her, all the accused persons also assaulted with lathi and danda, thereafter the informant's mother came she was also assaulted with lathi by Afsari and Wahida @ Amila on her neck.

Learned counsel for the petitioners has submitted that there was previous enmity between the parties and the petitioners' side has also lodged a case against the informants' side, which is prior to this case (Annexure-2). Learned counsel for the petitioners submitted that all the injuries are simple in nature except one grievous injury on Md. Sahid on his forearm but the name has not been mentioned in the FIR and the FIR is absent as to who assaulted Md. Sahid.

Considering the above mentioned facts and circumstances, the petitioners above named, in the event of their arrest or surrender, within four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Sikarhara (Dhaka), East Champaran in connection with Kundwa Chainpur P.S. Case No. 159 of 2020, subject to condition as laid down under Section 438(2) Cr.P.C.



Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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