

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58029 of 2021

Arising Out of PS. Case No.-112 Year-2020 Thana- ABADPUR District- Katihar

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1. MOSTT. GOLENOOR @ GOLINUR W/o LATE CHABISU R/o VILLAGE-GOVINDPUR, P.S- ABADPUR, DISTRICT-KATIHAR.
 2. LENGRA @ SAMIANUL S/o MUKSAD ALI R/o VILLAGE-GOVINDPUR, P.S- ABADPUR, DISTRICT-KATIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad

For the Opposite Party/s : Mr.Pranav Kumar

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

ORAL ORDER

2 04-07-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

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

The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 307, 354(b), 504 and 506/34 of the Indian Penal Code, registered in connection with Adapur P.S.Case No. 112 of 2020.

As per allegation, the accused persons including the petitioner, came to the house of the informant. The specific allegation against co-accused Aajid is that he assaulted the



informant with iron rod on his head. The allegation against petitioner no.1 is that he intended to assault on the neck of the informant with *hasua*, but he warded off and infliction fell on his hand causing injury on his hand.

The learned counsel for the petitioners has submitted that there is land dispute between the parties. *Basgit purcha* was given to the informant, the legality whereof has been challenged by the petitioner which is *sub judice* before the Collector, Katihar. He has submitted further that members of the defense side have also lodged a case against the prosecution side. He has also submitted that though the informant has sustained one grievous injury on his head, but it is not attributed against the petitioners, rather it is attributed against co-accused Aajid. He has next submitted that the petitioners are the persons of clean antecedents.

On the other hand, the learned counsel for the informant has submitted that the petitioners along with other co-accused persons badly assaulted the informant, who sustained grievous injury.

Considering the above facts and circumstances and the fact that there is case and counter case and the grievous injury on the head of the informant is not specifically attributed



against the petitioners and also considering the fact that the members of the defense side have also sustained injuries and they are the persons of clean antecedents, let them above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released 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 learned Judicial Magistrate, Katihar in connection with Abadpur P.S.Case No. 112 of 2020, subject to the conditions 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 as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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