

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58209 of 2021

Arising Out of PS. Case No.-45 Year-2021 Thana- AMAUR District- Purnia

1. ABDUL MATLIB Son of Late Yusuf Resident of Village - Mahingaon, P.S. - Amour, District - Purnea.
2. Md. Rafique Son of Lae Yusuf Resident of Village - Mahingaon, P.S. - Amour, District - Purnea.
3. Md. Tarique @ Tarique Son of Rafique @ Md. Rafiaque Resident of Village - Mahingaon, P.S. - Amour, District - Purnea.
4. Abdul Gani Son of Matlib @ Md. Matlib Resident of Village - Mahingaon, P.S. - Amour, District - Purnea.
5. Md. Tabrej Son of Matlib @ Md. Matlib Resident of Village - Mahingaon, P.S. - Amour, District - Purnea.
6. Md. Israul Son of Late Khalil Resident of Village - Mahingaon, P.S. - Amour, District - Purnea.
7. Md. Shamshad Son of Matlib @ Md. Matlib Resident of Village - Mahingaon, P.S. - Amour, District - Purnea.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 58237 of 2021

Arising Out of PS. Case No.-45 Year-2021 Thana- AMAUR District- Purnia

MD NAUSAHAD @ NAUSHAD Son of Md. Matlib @ Matlib Resident of Village - Mahingaon, P.S.- Amour, Distt.- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 58209 of 2021)

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Arun Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 58237 of 2021)

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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



ORAL ORDER

2 11-07-2022 Learned counsel for the petitioners is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Amour P.S. Case No. 45 of 2021, registered for the offences punishable under Sections 147, 148, 323, 324, 307, 504, 506 of the Indian Penal Code.

As per allegation, eleven accused persons attacked the family members of the informant. The specific allegation against petitioner Md. Naushad is that he assaulted the informant on his left hand with sword. He also assaulted informant's brother on his head and leg with sword.

Learned counsel for the petitioners has submitted that there is case and counter case. The counter case has also been lodged under Section 307 and allied Sections. Petitioner Md. Naushad has also suffered some injuries. He has also submitted that the injuries suffered by prosecution side are simple in nature caused by hard and blunt substance except one injury on the person of the informant which is fracture on nasal bone. The FIR itself shows that this injury is not specifically attributed to any of the petitioners. There is admittedly land dispute.

Considering the above-mentioned facts and circumstances



as well as the nature of injuries and the fact that there is previous land dispute between the parties, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, 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 1st Class, Purnea in connection with Amour P.S. Case No. 45 of 2021, 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 provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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