

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35645 of 2023

Arising Out of PS. Case No.-194 Year-2022 Thana- GWALPARA District- Madhepura

1. Md. Firoz Son Of Late Nurul Village- Reshna Ward No-1, Ps- Gwalpara Arar Op Dist- Madhepura
2. Md. Nousad @ Md. Nousad Alam Son Of Late Amrul Village- Reshna Ward No-1, Ps- Gwalpara Arar Op Dist- Madhepura
3. Md. Samsad @ Md. Samsad Alam Son Of Late Amrul Village- Reshna Ward No-1, Ps- Gwalpara Arar Op Dist- Madhepura
4. Md. Sahrukh Son Of Md. Kudus @ Khudus Village- Reshna Ward No-1, Ps- Gwalpara Arar Op Dist- Madhepura Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Alok Kumar Singh, Advocate
For the Opposite Party : Mr.Kanhaiya Kishore APP,100

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 307/379/354,504,506/34 and other ancillary sections of the Indian Penal Code.

3. As per the prosecution case, all the FIR named accused persons including these petitioners assaulted the informant, his brother and mother with farsa, iron rod, lathi.

4. It is submitted on behalf of the petitioners that though 11 accused persons are said to have assaulted the informant and his family members but as per injury report, no multiple injuries have been found on their body. Due to land dispute, altercation took place between the parties in which both



sides sustained injuries. Section 379 Indian Penal Code is ornamental in nature and super addition. Petitioners claim clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged 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 Sub Divisional Judicial Magistrate, Udakishunganj, Madhepura in Gwalpara (Arar OP) Police Station Case No. 194 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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