

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45748 of 2024**

Arising Out of PS. Case No.-998 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

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1. Mauladdin Miyan @ Mauladdin @ Md. Mauladdin, male, aged about 42 years, S/O Nasir Miyan,
2. Sona Miyan, Male, aged about 36 yers, son Nasir Miyan,  
Both resident of village- Chakiya Jalalpur, P.S.-Chapra Muffassil, District-Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioner/s :     | Mr. Dewendra Narayan Singh, Advocate |
| For the Opposite Party/s : | Mr. Nirmal Kumar Sinha, APP          |

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**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      07-08-2024                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with  
Chapra Muffassil PS Case No.998 of 2023 dated 18.12.2023,  
instituted under Sections 341, 323, 504, 324, 307/34 of the  
Indian Penal Code.

3. The allegation against the petitioners is that when  
the informant and his father had gone to their field for taking  
bamboo, the petitioners and others arrived at the informant's  
field and started abusing them which was protested by the  
informant and his father upon which petitioner no. 2 caught the  
collar of the informant's father and pulled him down on the



ground. Thereafter, petitioner no.1 along with another accused Khurshid Ali assaulted on the head of the informant indiscriminately with *Daab* meant for cutting chicken as a result of which the informant's father received several cut injuries on his head. When the informant's father tried to save himself, he received cut injury in his palm. When the informant tried to save his father, he was also assaulted by the accused persons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and he has been falsely implicated in this case. It is submitted that there is there is allegation against the petitioner no. 1 that he assaulted the father of the informant on his head by means of *Daab* but the injury report of the father of the informant will reveal that the injuries were caused by hard and blunt substance and the nature of the injury was simple. It is also submitted that there is case and counter case between the parties. Counter case has been lodged by the wife of the petitioner no.1 against the informant and his family members. It is also submitted that in the scuffle which took place between the parties, the petitioner no. 1 has also received injuries due to which he has been provided medical treatment. Lastly, it is submitted that the petitioner has no criminal antecedents.



5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra, in Chapra Muffassil PS Case No.998 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

**(Khatim Reza, J)**

J. Alam/-

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