

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.27165 of 2008

1. MD. KHABIR
2. Rahim Baks
3. Sarifkul @ Safikul
4. Hasnath
5. Abdul Gaffar
6. Nazmul
7. Md. Khurshid
8. Shamim
9. Manowar
10. Faizuddin

Versus

THE STATE OF BIHAR

With

Cr.Misc. No.30485 of 2008

GOPAL RAI

Versus

STATE OF BIHAR

- - - -

2. 31.7.2008 Heard.

In these two petitions there are altogether 11 petitioners (in Cr. Misc. No. 30485 of 2008 there is the solitary petitioner whereas in Cr. Misc. No.27165 of 2008 there are ten petitioners) out of 12 accused persons named in the F.I.R. who are alleged to have assaulted the informant with lathi and Danda. There are only six injuries and most of them being simple except injury no.2 the opinion about which was kept reserved.

The contention is that the petitioners did not have any reason to assault the informant and he appears being assaulted by

some unknown persons who might have been waiting for any other person who assaulted him which fact appears supported from the statement made in the Fardbeyan itself.

Regard being had to the facts and general nature of the allegation, let the above named 11 petitioners in both the petitions be directed to be released from custody on their furnishing bonds each of Rs. 3,000/- (three thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar, in Barsoi P.S. Case No. 84 of 2007.

Kanth

(Dharnidhar Jha, J.)

