

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23606 of 2013

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1. Bibi Robidan Khatoon @ Bibi Robidan, W/O Samsuddin Khan
2. Abdul Mazid, son of Shivratan Rai

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA
ORAL ORDER

4 24-12-2013

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner seeks permission to withdraw this application only with regard to petitioner no. 2 namely Abdul Mazid as he has been arrested by the police.

Permission is granted.

Accordingly, this application stands dismissed as withdrawn as having become infructuous only with regard to petitioner no. 2.

So far as petitioner no. 1 is concerned, he apprehends his arrest in connection with a case registered for the offence punishable under Sections 117, 143, 147, 148, 149, 327, 387, 420, 447, 467, 468, 471 and 120(B) of the Indian Penal Code and section 27 of the Arms Act.

The petitioner is one of the named accused in this case arising out of certain transactions denying title of transferor of the petitioner and undisputedly one Title Suit No. 904/2012 has already been filed by informant's wife in whose name transfer is there though taken by the informant.

Having regard to the facts and circumstances, actual and effective remedy of Title Suit is going on, in the event of his arrest/surrender before the court below within four weeks, let the above named petitioner no. 1 be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, East Champaran at Motihari, in connection with Motihari Town P.S. Case No. 378 of 2012**, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure with additional condition to remain physically present before the court below on each and every date at least for two years or till disposal of the case, whichever is earlier and in case of failure on two consecutive dates without giving any reasonable explanation, the liberty granted shall be deemed to be cancelled.

Rajeev/-

(Akhilesh Chandra, J)