

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2176 of 2015

Arising Out of PS.Case No. -44 Year- 2014 Thana -RUPAULI District- PURNIA

- =====
1. Muddi Ansari Son of Late Zabbir
2. Mojama @ Majo Miyan Son of Fakruddin Miyan Both are resident of Village - Anjhari, P.S- Rupouli (Mohanpur),District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Suman Kumari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-03-2015 Heard both sides.

The petitioners apprehend their arrest in Rupouli (Mohanpur) P.S. Case No. 44/2014, registered for the offence punishable under section 307 and other Sections of the Indian Penal Code.

Chandradeo Mahto made allegation that Wakil Singh who is the husband of Mukhia and the petitioners went to the field of the informant and demanded extortion. When the informant refused to pay extortion, the accused persons are alleged to have fired and assaulted the informant and his sister Usha Devi.

The petitioners submit that there is a land dispute between the parties. There is no specific allegation of firing against the petitioners. The injuries found on the person of the informant and his sister is simple in nature.

It appears that the informant made allegation that the petitioners

and Wakil Singh demanded extortion and on account of non-payment, firing was made and they also assaulted the informant and his sister.

Considering the facts aforesaid, I do not find the case fit for grant of anticipatory bail, accordingly the same is rejected.

However, the petitioner may surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order and the Court below shall consider the prayer for regular bail of the petitioner without being prejudiced by order of this Court.

(Prabhat Kumar Jha, J)

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