

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35423 of 2015

Arising Out of PS.Case No. -7 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

1. Md. Harun son of late Sk. Shakoor
2. Md. Mohiuddin son of Sk. Basiruddin
Both resident of Village: Dhanoura, Police Station: Rasalpur
(Kahalgaon) District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 03-09-2015 Heard learned counsel for the petitioners and the
State.

Petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections 385,
420, 468, 471/34 of the Indian Penal Code.

The prosecution case is that the petitioners being
the Ex-Secretary of the Madarsa Darul Uloom Danoura was
demanded extortion of Rs.2,00000/- for saving informant from
rigorous of the enquiry, ordered on the complaint by the
petitioners.

It is submitted by the learned counsel for the
petitioners that due to dispute with regard to holding the post
of President and Secretary of the alleged Madarsa Darul Uloom,
Danoura the accusation has been levelled.

It is submitted by the learned counsel for the

informant that the petitioners have made a wrong averment in para-3 of the petition that they have no criminal antecedent rather the petitioners are accused in two other cases.

Supplementary affidavit has been filed on behalf of petitioners to the effect that petitioners are accused in two cases, but it could not be incorporated in the petition initially due to wrong institution. Prima facie accusation has been levelled in the background of the dispute with regard to the posts of Secretary and President in Madarsa Darul Uloom, Danoura. Since the enquiry has been ordered hence the present case has been filed to obstruct the enquiry.

The aforesaid facts constitute ground for consideration of prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Kahalgaon (Rasalpur) P.S. Case No. 07 of 2015, pending in the court of learned Chief Judicial Magistrate, Bhagalpur.

With this observation this application is disposed of.

(Dinesh Kumar Singh, J)

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