

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29800 of 2015

Arising out of PS.Case No. -90 Year- 2015 Thana -RAXAUL District- EAST
CHAMPARAN(MOTIHARI)

- =====
1. Mukhtar Mian @ Hazi Mukhtar Alam @ Mokhtar Alam, Son of Late Israil Mian.
 2. Amul Nesha , Wife of Mukhtar Mian @ Hazi Mukhtar Alam @ Mokhtar Alam.
 3. Fakhruddin Mian @ Munna @ Fakhruddin Miyan.
 4. Shane Ilahi @ Bachcha Babu.
 5. Saddam Hussain @ Saddam. 3 to 5 sons of Mukhtar Mian @ Hazi Mukhtar Alam @ Mokhtar Alam.
 6. Saghir Ansari @ Saghir Ahmad @ Jajbi @ Jajbi Ansari, Son of Mumtaz Ansari.
 7. Jitendra Sharma, Son of Satya Narayan Thakur.
 8. Mustaque Mian, Son of Late Hamid Mian.
 9. Abdul Rahman, Son of Late Hamid Mian.
 10. Bhoj Mian, Son of Late Emam Mian.
 11. Aslam Mian, Son of Zakir Mian. All Residents of village - Bada Parewa, Police Station - Raxaul, District - East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Madhurendra Kumar, Advocate.
For the Opposite Party : Mr. Shailendra Kr.Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-07-2015 The petitioners are apprehending their arrest in connection with Raxaul P.S. Case No. 90 of 2015 for the offences instituted under Sections 448, 327, 379, 323 and 506/34 of the IPC.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that the accused persons with a help of a crowd of about 40 supporters tried to enter into the premises of Sanjay Sikaria and Sandeep Sikaria,

looted and ransacked the property, threatened and beaten their children.

It has been submitted on behalf of the petitioners that the entire family members have been made accused in the present case. From perusal of the F.I.R., it appears that it is a civil dispute between the parties. It is further submitted that Section 379 of the I.P.C. has been added as an ornamental just to make the case serious in nature. There is no recovery of any incriminating article from possession of the petitioners.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Raxaul P.S. Case No. 90 of 2015, G.R. Case No. 295/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul at Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)