

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45212 of 2014

Arising Out of PS.Case No. -5 Year- 2014 Thana -SC/ST District- MADHEPURA

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1. Md. Sobrati, son of Late Md. Sakin Mian
 2. Bibi Soni Khatoon, wife of Md. Wasil
 3. Samima Khatoon, wife of Md. Kalam
 4. Md. Sayyad, son of Md. Sobrati
 5. Md. Afroz, son of Md. Sobrati
 6. Md. Saddam, Son of Md. Salamat
 7. Md. Izhar, Son of Md. Salamat
 8. Md. Kalam, Son of Md. Munsi
 9. Md. Idris, Son of Md. Munsi

All residents of Village - Sukhasan, Police Station -
Singheshwar, District - Madhepura.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md.Imteyaz Ahmad, Advocate
For the State : Mr. Ram Shankar Das, Special P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

4 10-04-2015 So far petitioner nos.2 and 3 are concerned, this application has already stood withdrawn vide order dated 20.11.2014.

I have heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case registered for offences punishable under Sections 341, 323, 324, 307, 354, 379, 504/34 of the Indian Penal Code and Section 3 (1)

(x) (xi) and 2 (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is submitted on behalf of the petitioners that there is obvious land dispute between the parties and several proceedings are pending. The petitioners' side had filed informatory petition before the C.J.M., Madhepura and, thereafter, for the same occurrence F.I.R. has been lodged by Md. Sobrati, petitioner no.1 on 27.03.2014 and, thereafter, about after four days of the alleged date of occurrence the present first information report has been lodged by way of counter blast. It is submitted that the alleged altercation was due to the land dispute between the parties. Learned counsel submits that from bare perusal of the first information report it would be apparent that nothing has happened in the public view as the alleged occurrence is of the courtyard of the informant.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Md. Sobrati, Md. Sayyad, Md. Afroz, Md. Saddam, Md. Izhar, Md. Kalam and Md. Idris be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Madhepura SC/ST P.S. Case No. 05 of 2014, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) each with two sureties of

the like amount each to the satisfaction of Sub-divisional Judicial Magistrate, Madhepura subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

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