

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52814 of 2015

Arising Out of PS.Case No. -214 Year- 2015 Thana -DHAMDHAHA District- PURNIA

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Md. Jabir, s/o late Allauddin, resident of village Taraini Muslim Tola, P.S.
Dhamdaha, District Purnea.

.... Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh

For the Opposite Party/s : Mr. Sunil Kumar Pandey (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-12-2015 Heard the learned counsel for the petitioner and the learned
A.P.P for the State.

The petitioner apprehends arrest in connection with
Dhamdaha P.S. Case No. 214/2015 for the offences alleged u/s
147/148/149/341/323/386/354/379 and 504 of the I.P.C.

The prosecution case by the informant Bibi Angoori
Khatoon is that on 12.7.2015 Md. Quddus sent daughter to his
Samdhi at village Falka and on 13.07.2015 filed a false case of
kidnapping vide Dhamdaha P.S. Case No. 188/2015. It is alleged
that Md. Quddus on 16.07.2015 asked the informant to execute a
sale deed of her land in the name of his daughter and extended
threat to her. The informant made protest then Md. Jabir caught
her hair, put her on the ground, sat on her chest and tried to tear
her cloths. It is alleged that accused assaulted her and also



snatched her silver chain. Accused Md. Mumtaz assaulted the father-in-law of the informant and snatched Rs. 600/-. It is also alleged that on 22.07.2015 at 08.00 P.M. accused persons entered into her *Angan* armed with *Lathi*, *Bhala* and other weapons and threatened to execute sale deed otherwise they will kill the informant and her family members. Out of fear, informant executed sale deed in favour of Mobina Khatoon relating to Khata No. 227, Plot No. 1482 and 1483, area 04 decimals and 04 Kari. It is alleged that after execution of the sale deed, the accused persons threatened the informant to vacate the remaining portion of the land.

It has been submitted by the counsel for the petitioner that he has been falsely implicated in the said case. There are on inimical terms as is evident from the fact that the informant had enticed the daughter of one Md. Quddus for which Dhamdaha P.S. Case No. 188/2015 was lodged against the informant for offences u/s 363, 366(A), 120(B)/34 of the I.P.C. It is further submitted that the present case is just a counter blast to the said previous case. It has been further submitted that no specific allegation and no eye-witness has supported the prosecution case and because of some land dispute, the petitioner has falsely been implicated in this case. It has been further submitted that the petitioner has clean

antecedent as is evident from para 3 of this petition.

Be that as it may, let the petitioner, above named, in the event of arrest or surrender in the court below within six weeks from today be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) each with two sureties of like amount to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Dhamdaha P.S. Case No. 214/2015 subject to the conditions as laid down u/s 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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