

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.56433 of 2015**

Arising Out of PS.Case No. -56 Year- 2015 Thana -DHAKA District-  
EASTCHAMPARAN(MOTIHARI)

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HIJBULLAH @ HIFZUR RAHMAN @ HAZBULLAH, S/O LATE ISAD,  
RESIDENT OF VILLAGE- BARHARWA LAKHANSEN, P.S.- DHAKA,  
DISTRICT- EAST CHAMPARAN

.... .... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... .... OPPOSITE PARTY/S

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh

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

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**

ORAL ORDER

3      22-12-2015                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The petitioner is accused in connection with Dhaka  
P.S. Case No. 56 of 2015 registered under Sections 147, 148, 149,  
323, 324, 325, 307, 436, 379 and 448 of the Indian Penal Code.

The prosecution case is that in course of occurrence of  
Marpit by 12 persons named in the F.I.R. including the petitioner,  
co-accused, Iliyas and Rajwan sprinkled Kerosene oil on the  
cloths and window of the informant, when informant and his  
family members tried to flee away then petitioner along with  
others closed them and petitioner set fire in the house of the  
informant.

Learned counsel for the petitioner submits that, in fact, occurrence of Marpit took place due to land dispute between the prosecution party and the defence party and the defence party also sustained injury, regarding which, Dhaka P.S. Case No. 57 of 2015 has been registered on the basis of the written report of co-accused, Md. Amanullah. It is further submitted that house of the informant is Pakka house. The informant put fire in his small hut situated near the house and made allegation of setting fire in house by this petitioner. It is further submitted that petitioner has no criminal antecedent and is in custody since 11.10.2015.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Sikarhana at Dhaka, East Champaran, in connection with Dhaka P.S. Case No. 56 of 2015. Out of two sureties, one surety must be the close relative of the petitioner.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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