

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.827 of 2015

- =====
1. Gulam Pir Shah Son of Late Tabarak Shah
 2. Iliyash Shah Son of Gulam Pir Shah
 3. Afsar Shah Son of Gulam Pir Shah
 4. Prawej Shah Son of Gulam Pir Shah
 5. Shamshad Shah Son of Gulam Pir Shah All resident of Village -
Fulwariya, P.S.-Chainpur, Dist.-Kaimur at Bhabhua

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rajani Kant Pandey

For the Opposite Party : Mr. P.K. Chourasiya (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-01-2015

Heard learned counsels for the petitioners and
the State.

Petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections 323,
341, 504, 506, 34 of the I.P.C and 3(1)(X)(XI) of the SC & ST
(Prevention of Atrocities) Act.

It is alleged that accused persons came to the
masur crop of the informant and forbade him to cut the masur
crop as the informant claimed the land in question being
mortgaged by Habibullah Shah. Consequently the informant
was assaulted and abused by calling caste name.

It is submitted by learned counsel for the
petitioners that Title Suit No. 186 of 2010 is pending with
regard to the land in question between the petitioners and

Habibullah Shah and Habibullah Shah has set up the informant for lodging false case.

Considering the fact that accusation has been levelled in the background of serious land dispute when informant has not claimed the land in question of his own, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with SC/ST(Bhabua) P.S. Case No. 17 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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