

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43705 of 2015

Arising Out of PS.Case No. -118 Year- 2015 Thana -BARARI District- KATIHAR

1. Altaf Haji @ Altaf Hussain @ Altab Haji
2. Afsar Haji Both sons of Late Md. Jainul
3. Md. Alim
4. Md. Kalim Both sons of Altaf Haji
5. Md. Ekramul son of Afsar Haji
6. Md. Rahman son of Jiyaul Haque All residents of village Baisa
Govindpur, P.S. Barari, District- Katihar Petitioner/s
Versus
The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat (SPL.APP)

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA

PRATAP SINGH

ORAL ORDER

2 13-10-2015 Petitioners apprehend their arrest in a case instituted under section 379 and other allied sections of the Indian Penal Code as well as under the SC /ST Act on the allegation that the accused persons forming unlawful assembly came upon their land and demolished his house and also assaulted his wife and children.

The petitioners submit that the allegations are false and in view of own statement of informant, no case under the SC/ST Act would be made out. He submits that the FIR has been lodged after delay of 10 days and there is no injury report. He further submits that petitioner no.1 and 2 are 75 to 80 years old.

Having regard to the facts and circumstances of the case, in case of surrender within six weeks, all the six petitioners as named above be released on bail on their furnishing bail bond of Rs. 3000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in Barari (Semapur) Police station Case No. 118 of 2015.

One of the sureties of petitioners no.3 to 6 would be in form of cash deposit of Rs.3000/-. Further, if charge sheet has been submitted, petitioners no. 3 to 6 would not be absent physically for two consecutive dates at a stretch till two witnesses are examined in the trial.

Shashi.

(Samarendra Pratap Singh, J)

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