

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32269 of 2014

Arising Out of PS.Case No. -148 Year- 2013 Thana -AWADPUR District- KATIHAR
=====

1. Momina Wife of Hanif
2. Mem Son of Hanif
Both resident of village- Dharampur, P.S.- Abadpur, District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :
For the Petitioner/s : Mr. Md. Helal Ahmad
For the Opposite Party/s Mr. Anuj Kumar Srivastava (App)
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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 26.03.2015 Heard learned counsel for the petitioners, learned Addl.
Public Prosecutor for the State as well as learned counsel for the
informant.

At the very outset, it is pointed out that petitioner no.1,
namely, Momina has already been arrested. Accordingly, her prayer
for anticipatory bail stands dismissed being infructuous.

So far as petitioner no.2 is concerned, it is submitted that no
specific overt-act has been attributed against petitioner no.2 and, as a
matter of fact, present case has been lodged on account of land
dispute.

It would appear that this case ought to have been listed
under the heading for order but inadvertently, it has been listed under
the heading admission. Moreover, this petition can be disposed of on
the basis of materials available on record.

Accordingly, in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let petitioner no.2, namely, Mem be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar in Abadpur P.S. Case no. 148/2013 subject to condition as laid down under section 438(2) of the Cr.P.C.



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(Hemant Kumar Srivastava,J)

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