

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34656 of 2015

Arising Out of PS.Case No. -36 Year- 2014 Thana -SC/ST District- ARRARIA

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1. Md. Mokhtar Son of Amjad
 2. Md. Ilyas Son of Late Jumman
 3. Md. Soyeb Son of Late Ghuttar
 4. Md. Idrish Son of Late Jumman

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-08-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341/323/504/354/379/34 of the Indian Penal Code and section 3(1) (i) (v) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case is that the accused persons used to put pressure on the informant to sell his land. On the alleged date of occurrence, the accused persons came at the field of the informant and started reaping of the paddy crops on protest being

made, the accused persons assaulted the informant and his wife and abused them by calling caste name. It is alleged that petitioner no.1 Md. Mukhtar took away Rs.5000/- from the pocket of the informant whereas petitioner no.3 Md. Soyeb snatched a silver necklace from the wife of the informant.

It is submitted by learned counsel for the petitioners that in the background of serious land dispute the accusation has been levelled as the informant claimed the land on the basis of forged settlement in his favour and actually the land belongs to one Abdul Rashid. Md. Taiyab Alam, Circle Officer, Araria lodged Araria P.S. Case No. 525 of 2011 levelling accusation under sections 420/465/467/468/471/120B/34 of the Indian Penal Code, against the informant at earlier point of time. It is further submitted that for the occurrence of 21.05.2014, the FIR was registered on 26.05.2014 and the petitioners are accused in three other cases, all the cases have been lodged by the informant and his wife.

Considering the delayed lodging of the case and accusation being levelled in the background of serious land dispute, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on

furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Araria SC/ST P.S. Case No.36 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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