

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17532 of 2016

Arising Out of PS.Case No. -91 Year- 2015 Thana -JAMALPUR District- DARBHANGA

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MUSTAKIN @ MUSTAKIM

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Asha Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 03-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 and 379 of the Indian Penal Code.

The prosecution case is that on 04.08.2015 at 2 P.M. the petitioner captured the land of informant by filling soil and when the mother of informant, Quraisha Khatoon, and his wife, Sagira Khatoon, made protest the petitioner assaulted them. Thereafter, at 3.30 P.M. the accused persons, including the petitioner, came at the door of informant and abused him. It is further alleged that petitioner assaulted the informant with iron rod on his head and thereafter other accused persons also assaulted the informant with Lathi and stick. There is allegation of theft also.

It is submitted by the learned counsel for the petitioner

that for a petty dispute the accusation has been levelled. There is no injury report of the informant and for the occurrence dated 04.08.2015 the FIR was registered on 11.08.2015. Statement has been in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the delay in lodging the case and the genesis of the occurrence, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Biroul (Darbhanga) in connection with Jamalpur P.S. Case No. 91 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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