

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22719 of 2016

Arising Out of PS.Case No. -249 Year- 2015 Thana -JOKIHAT District- ARRARIA

- =====
1. Tabrej Alam, son of late Farmanuddin
 2. Ahtasham @ Etesam, son of Washi Ahmad
 3. Fuddam, son of Washi Ahmad
 4. Arfin, son of Gaisul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-05-2016 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, 324, 504, 307, 379/34 of the Indian Penal Code.

Prosecution case is that in the background of land dispute, the accused persons including the petitioners came variously armed and petitioner no.3, Fuddam, assaulted with 'farsa' on head but injury was caused on his leg, as a result, the informant fell down thereafter petitioner no.4, Arfin snatched chain worth Rs.5000/- whereas petitioner

no.1 Tabrej Alam took away grocery material worth Rs.10,000/-. It is also alleged that petitioner no. 2 Ahtasham assaulted with iron rod.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled.

Considering the specific accusation of assault against petitioner nos. 2 (Ahtasham) and 3 (Fuddam), let the learned Court below consider their prayer for regular bail, if they surrender within a period of six weeks in connection with Jokihat (Mahalgaon) P.S. Case No.249/2015, pending before the learned SDJM, Araria.

With the above observation, this application so far as it relates to petitioner no. 2 and 3 is, accordingly, disposed off.

Since the accusation of assault is not against petitioner nos. 1 (Tabrej Alam) and 4 (Arfin) coupled with statement made in paragraph 3 of the petition that they have no criminal antecedent, let them 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 SDJM, Araria, in connection with Jokihat (Mahalgaon) P.S. Case No.249/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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