

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34537 of 2016

Arising Out of PS.Case No. -390 Year- 2015 Thana -BIRAUL District- DARBHANGA

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1. Md. Naim son of late Hanif
2. Md. Allauddin son of late Hanif
3. Md. Quam son of late Hanif
All residents of Village Rampur, Rauta, Tola, Makahnahi, P. S
Kusheshwar Asthan, District Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 06-09-2016 Heard Mr. Mohammad Sufyan, learned counsel for

the petitioners and Mr. Mustaque Alam, learned Addl. Public

Prosecutor.

Three petitioners, apprehending their arrest in
Biraul P.S. Case No.390/2015 registered for the offence under
Sections 420,120(B), 464, 466, 463, 470, 467, 468, 471/34 of the
Indian Penal Code, have prayed for grant of bail in the event of
their arrest.

It was submitted by learned counsel for the
petitioners that initially in a land dispute, complaint case was filed
vide Complaint Case No.441/2014, which was referred to the
police under Section 156(3) of the Code of Criminal Procedure

and, as such, F.I.R. was lodged. It was submitted by learned counsel for the petitioners that on the basis of complaint petition, it is evident that in a civil dispute, a colour of criminal offence has been given.

Keeping in view the nature of accusation as well as considering the fact that initially a complaint was filed, let three petitioners, namely, (i) Md. Naim (ii) Md. Allauddin and (iii) Md. Quam , in the event of their arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Biraul, Darbhanga in connection with Biraul P.S. Case No.390 of 2015, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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