

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58032 of 2015

Arising Out of PS.Case No. -182 Year- 2015 Thana -BARARI District- KATIHAR

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1. Sirajul Haque Son of Md. Muslim
 2. Md. Arif Son of Dr. Saif
 3. Md. Shamim Son of Rustum All resident of village - Kawaiya Dhar (Vaisha), P.S. - Barari, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Rahmatullah

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-01-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 354(B), 379, 384, 506, 504/34 of the Indian Penal Code.

The prosecution case is that on 01.10.2015 at 8:30 P.M the informant was sitting at his door when petitioner No. 1 Sirajul Haque with co-accused Ashif and Md. Rushtam came and asked the informant for not paying extortion demand and started assaulting the informant. It is further alleged that petitioner Nos. 1 and 2 took out Rs. 20,000/- from the pocket of the informant. Petitioner Nos. 2 and 3 came with lathi and started assaulting the informant and when informant's wife and other family members came to rescue then they were also assaulted by the accused persons. It is also alleged that petitioner Nos. 2 and 3 outraged the modesty of the wife of the informant and demand of extortion

amount was made.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. Moreover for the occurrence of 01.10.2015 the F.I.R was registered on 02.10.2015. It is further submitted that at earlier point of time petitioner No. 1 lodged Complaint Case No. 2591 of 2013 against the informant levelling accusation under Sections 447, 323, 506/34, 384 of the Indian Penal Code.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the case lodged by the petitioners' side at earlier point of time and petitioners having no criminal antecedent, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory 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 Chief Judicial Magistrate, Katihar in connection with Barari(Semapur) P.S. Case No. 182 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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