

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44371 of 2016

Arising Out of PS.Case No. -221 Year- 2016 Thana -BARBIGHA District- SEKHPURA

- =====
1. Kamal Mian, Son of Ansar Mian, R/o Village- Ramjanpur,
 2. Nanhu Mian @ Md. Nanhu Mian, Son of Fakhru Mian, R/o Village Murgiachak, Both Sl no. 1 and 2 P.S.- Sare, Distt.- Nalanda.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 25-10-2016

Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Barbiga P.S. Case No. 221 of 2016, registered under Sections 448,
148, 147, 323, 307, 504, 506 and 380 of the Indian Penal Code and
Section 27 of the Arms Act.

The accusation is that petitioners along with four others
variously armed with lathi, danda, Gun, Rifle and Pistol reached at the
door of the informant Mathura Yadav and started to abuse him, when
he made protest then he was assaulted by means of lathi and stick.
Thereafter, informant anyhow managed to flee from there. At that
time, petitioner Kamal Mian shot fire through his pistol, but the same
was not hit to the informant or others. At that time, petitioner Nanhu

Mian snatched Rs. 12,000/- from the pocket of the informant and also damaged the roof of the house of the informant.

Learned counsel for the petitioners submits that due to the land dispute, the present case has been lodged by the informant with false allegation only to give pressure upon the petitioner. Further submission is that at the instigation of the informant, the petitioners have been made accused in several cases, as detailed in paragraph No.3 of the petition.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sheikhpura in connection with Barbigha P.S. Case No. 221 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J.)

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