

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4909 of 2016

Arising out of PS.Case No. -956 Year- 2015 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

- =====
1. Majibul S/o Giasuddin
 2. Mamoon S/o- Giasuddin, Both are R/o Mirjatpur, P.S.- Barsoi, District-
Katihar

.... Petitioner/s

Versus

1. The State of Bihar
2. Khursheda Khatoon W/o- Muzaffar, R/o- Mirjatpur, P.S.- Barsoi,
District- Katihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. S.N Shukla (APP)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 16-03-2016 Heard the parties.

The petitioners apprehend their arrest in connection with Complaint Case No. 956 of 2015 for offence punishable under Sections 323, 448, 380 and 354 of the Indian Penal Code.

Learned counsel for the petitioners with reference to the petition of complaint present at Annexure-1 submits that the allegations are concocted and are a result of a property dispute in between the parties inasmuch as the accused and the complainant all come from the same family. He submits that the court below taking note of the civil dispute between the parties has been pleased to grant bail to the others but it is only the nature of

allegation made against these two petitioners that the prayer was rejected. He submits that these allegations are merely to attribute seriousness to the offences and is founded on the civil dispute. It is further submitted that the petitioners have no criminal antecedent.

Having heard learned counsel for the parties and considering the submission of learned counsel, let the petitioner no. (1) Majibul; and petitioner no. (2) Mamoon in the event of their arrest or surrender within four weeks from today be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class-Katihar in connection with Complaint Case No. 956 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Jyoti Saran, J)

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