

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14761 of 2016

Arising Out of PS.Case No. -123 Year- 2015 Thana -CHARIABARIYARPUR

District- BEGUSARAI

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1. Md. Ekwai @ Akbar, Son of Md. Mokhtar.

2. Md. Shahnawaz @ Sanawaz, Son of Md. Mokhtar.

3. Md. Kuddush, Son of Md. Yakub.

All Resident of Village-Pabra, P.S.-Cheria Bariarpur, District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. P.K. Chaurasia (APP)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 03-05-2016 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Cheria Bariarpur P.S. Case No.123 of 2015,
disclosing offences under Sections 341, 323, 307, 385,
379, 504 and 506/34 of the Indian Penal Code.

It is alleged that co-accused, Md. Mokhtar, had



attempted to extort money from the informant, since the informant had purchased a piece of land from the nephew of the said co-accused, Md. Mokhtar, against his wish. An altercation is said to have taken place thereafter and allegedly, the petitioners held the informant, whereafter, co-accused, Md. Shahnawaz is alleged to have taken out a sum of Rs.3,500/- from the pocket of the informant. It is also alleged that co-accused, Md. Mokhtar, struck blow on the informant with Danda, causing injuries on his right eye.

Learned counsel for the petitioners has submitted that the occurrence, if any, has taken place because of petty dispute between the parties, apparently civil in nature. He has further submitted that the prosecution case is exaggerated version of the occurrence, for which counter case has also been lodged. The petitioners have no criminal antecedent, as stated in paragraph 3 of the application.

In view of the submission, as above, this application is allowed. Let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the

satisfaction of **learned Additional Chief Judicial Magistrate, Manjhaul at Begusarai**, in connection with **Cheria Bariarpur P.S. Case No.123 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners, abovenamed, shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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