

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16906 of 2016

Arising Out of PS.Case No. -523 Year- 2014 Thana -GAYA COMPLAINT CASE District- GAYA

1. Asgar Imam, Son of Late Khurshid Imam
2. Akbar Imam, Son of Late Khurshid Imam

.... Petitioner/s

Versus

1. The State of Bihar
2. Nanhak Das, Son of Late Ramdhani Das

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Sadanand Paswan (Spl. Pp)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 21-04-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 341, 504 of the Indian Penal Code and 3(1)(x) of SC/ST (Prevention of Atrocities) Act.

The prosecution case is that on 05.09.2014 at 8.00 A.M. the accused persons came armed with lathi and stick and started abusing the complainant by calling caste name and threatened not to cultivate the land of Humaira Khatoon. The accused persons destroyed the household articles of the complainant and when the police did not institute the case the

complainant lodged the present complaint on 10.09.2014.

It is submitted by learned counsel for the petitioners that due to the land dispute between the accused persons and agnate Humaira Khatoon the accusation has been levelled. The complainant in his S.A. stated that he is labour of Humaira Khatoon and at her behest he lodged the present complaint. It is further submitted that for the occurrence of 05.09.2014 the complaint has been filed on 10.09.2014.

Considering the delayed lodging of the case and a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Sherghati, Gaya in connection with Complaint Case No. 523 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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