

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19858 of 2016

Arising Out of PS.Case No. -215 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Foolman Mian, son of Late Ali Mian
 2. Rasul Mian, son of Foolman Mian
 3. Arman Mian, son of Foolman Mian
 4. Mustakim Mian son of Foolman Mian
 5. Saheb Mian son of Rasul Mian
 6. Sunar Padit @ Sundar Padit, son of Late Prakash Padit
 7. Pramod Padit son of Sundar Padit

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Tiwari, Advocate

For the Opposite Party/s : Mr. Anuradha Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 09-05-2016 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case
registered for the offences punishable under Sections 147, 148,
341, 328, 387, 504, 506 of the Indian Penal Code and 27 of the
Arms Act.

Prosecution case is that the informant purchased a



piece of land from his father through registered sale deed in 1972 and since then he is in possession of the said land. The informant claims to have given the said land to petitioner no.1 Foolman Mian and petitioner no.6 Sunar Pandit on 'batai' and thereafter they used to give produce of share to the informant. On 22.07.2006, the informant sent his son and his friends to get the boundary wall erected over the said land then it was protested by the accused persons when petitioner no.3 Arman Mian resorted to fire and demanded rupees two lakhs as extortion.

It is submitted by learned counsel for the petitioners that father of the informant namely Sazad Hussan transferred the land, in question, through registered sale deed in favour of petitioner nos. 1 and 6 on 01.12.1976 since then petitioners are in possession and on the basis of the said sale deed Jamabandi was created in favour of the petitioners. It further submitted that in the background of land dispute the accusation has been levelled. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten

thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Motihari at East Champaran in connection with Mufassil P.S. Case No.215/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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