

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52764 of 2016

Arising Out of PS.Case No. -67 Year- 2016 Thana -NAYAGAON District- SARAN

- =====
1. Mustafa Ansari @ Murtufa Ansari, son of Mohammuddin Miyan,
 2. Ilfah @ Md. Ilsaf Ansari @ Iltab, son of Mustafa Ansari, Both residents of village-Baherwa Gachhi, P.S. Nayagaon, District-Saran.
- Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Narendra Kumar Ray

For the Opposite Party/s : Mr. Ajay Kumar Jha

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 16-12-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Nayagaon P.S. Case no. 67 of 2016, registered under Sections 307,
313, 323, 341, 427 & 448/34 of the Indian Penal Code.

The accusation is that the petitioners came at the door of
the informant and entered into the land of the informant by breaking
the boundary wall and they also cut down the plants of guava and
pomegranate. When informant made protest, then accused/petitioners
started pressing his neck. When wife of the informant rushed to save
him then she was also assaulted by the petitioners causing loss of her
pregnancy.

Learned counsel for the petitioners submits that, in fact,
land in disputed belongs to the petitioners, but the complainant wants



to grab the land and lodged a complaint case, which is the basis of the F.I.R. Further submission is that occurrence is said to be held on 13.03.2016 and the complaint petition was filed on 18.04.2016 after laps of one month, which creates doubt about trustworthiness of the prosecution story.

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) with two sureties of the like amount each to the satisfaction of the ACJM, Chapra (Saran) in connection with Nayagaon P.S. Case No. 67 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

