

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38975 of 2016

Arising Out of PS.Case No. -137 Year- 2015 Thana -KORHA District- KATIHAR

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1. Fazlu Rahman Son of Late Ghotai Mian
2. Md. Jamla @ Md. Jamal Sakib son of Md. Yasin, Both are resident of
Village Shishiya, P.S. Korha, District Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 06-10-2016 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Korha P.S. Case No. 137 of 2015 registered under Sections
147, 341, 323, 420, 380, 452 and 307/34 of the Indian Penal Code.

The accusation is that on 30.03.2015, the
complainant/informant Md. Rahul came at his house, 10 accused
including the petitioners came at his door and asked to vacate the
land saying that the land has been purchased by Jamila Khatoon,
accused no. 3. When he made protest saying that this land is his
ancestral property then all assaulted him. In that course,
accused/petitioner no.1 gave *Dabia* blow at his head causing blood
oozing injury. Thereafter, all the accused entered into the house

and took cash Rs. 15000/- and ornaments after backing the locks.

Learned counsel appearing on behalf of the petitioners submits that petitioners are agnates of the informant and due to land dispute, this false case has been lodged. It is further submitted that while the occurrence is said to be of 30.03.2015, but the informant filed the complaint case on 15.04.2015 in the Court of C.J.M. Katihar, which is the basis of the F.I.R.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of 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 C.J.M., Katihar in connection with Korha P.S. Case No. 137 of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Shail/-

(Rajendra Kumar Mishra, J)

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