

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39636 of 2016

Arising Out of PS.Case No. -367 Year- 2016 Thana -FORBESGANJ District- ARRARIA

=====

1. Md. Saiyad, S/O Late Alim Mian
2. Md. Sikandar S/O Md. Saiyad
Both resident of Village - Madarganj P.S. Simraha District Araria.
3. Md. Arshad @ Irsad, S/O Hanif resident of Village- Chakardaha, P.S.
Narpatganj, District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate.

For the Opposite Party/s : Ms. Sucheta Yadav, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-10-2016 Heard both sides.

The petitioners, namely, Md. Saiyad, Md. Sikandar and Md. Arshad @ Irsad apprehend their arrest in Forbesganj (Simraha) P.S. Case No. 367/16 registered under Sections 379, 436 and other sections of the Indian Penal Code.

The informant alleged that on 19.07.2016 at about 11:00 A.M. all the three petitioners came at the Darwaza of the informant; petitioners no. 1 and 2 set the house of the informant on fire and petitioner no. 3 assaulted the informant with Farsa on his head.

Learned counsel for the petitioners submits that no such occurrence took place. There is a land dispute between the parties. A proceeding U/S 107 Cr.P.C. is also going on. No burnt material

was found near the house of the informant. Some thatched boundary, i.e., TAT is said to have been set on fire. The injury found on the head of the informant is simple in nature.

Considering the facts that there is a land dispute between the parties and no part of the house of the informant was found burnt and the injury found on the person of the informant is simple in nature, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in Forbesganj (Simraha) P.S. Case No. 367/16, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Dilip/-

(Prabhat Kumar Jha, J)

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