

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7286 of 2017

Arising Out of PS.Case No. -157 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

- =====
1. Md. Jahangir.
 2. Md. Alamgir.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Md. Nazir Ansari, Advocate.

For the Opposite Party : Mr. Abhay Kumar – 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 14-02-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Laheriasarai P.S. Case No. 157 of 2016 for the offences instituted under Sections 447, 341, 323, 307, 387 and 504/34 of the IPC.

The prosecution story, in brief, is that the sister of the informant purchased one Katha land in the year 2011 from Md. Aamanullah @ Babar. The petitioners demanded Rs. 2,00,000/- as *Rangdari* for constructing house over the said land. On 10.04.2016, the informant constructed a hut in which he stored building materials. On 11.04.2016 the petitioners' alongwith 10-12 unknown persons came to the land with *Khanti*, *Bamboo* and



Phattha, started to damage his hut and on protest, they assaulted him. The petitioner no. 2 assaulted with *Khanti* on his head and right side eye and petitioner no. 1 ordered to kill him upon which petitioner no. 2 again assaulted with *Bamboo*. They also damaged the boundary wall and when his uncle came to save him then accused persons including the petitioners assaulted them with *Bamboo* pieces.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. It is a case and counter case between the parties. The dispute is in respect to a piece of land. It has further been submitted that there is no injury report on the record to support the allegation made in the F.I.R.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Laheriasarai P.S. Case No. 157/2016 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 C.J.M., Darbhanga, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

