

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44017 of 2017

Arising Out of PS. Case No.-323 Year-2017 Thana- KRITYANAND NAGAR District-
Purnia

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Md. Mubarak, Son of Md. Khalil, Resident of Srinagar, P.S. Srinagar,
District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh
For the Opposite Party/s : Mr. SRI AKHILESHWAR DAYAL

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 02-11-2017 Heard learned counsels for the petitioner and the State.

Petitioner apprehends arrest in connection with K. Nagar
(Srinagar) P.S. Case No. 323 of 2017 registered for the offence
punishable under sections 323, 313, 386, 376 of the Indian
Penal Code.

Learned counsel appearing for the petitioner submits that
petitioner, who is Bhai-sur of the informant, has been falsely
implicated in this case by the informant in order to grab the land
of the petitioner. There is admitted land dispute between the
parties. In connection with that, a compromise was also arrived
between the parties before the Panchayat that no party will make
allegation and counter allegation against each other. Moreover,
no first information report was lodged and the present complaint



has been lodged, that too after delay of about eight months. On mediation examination, no sign of physical or sexual assault was found upon. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with K. Nagar (Sri Nagar) P.S. Case No. 323 of 2017 subject to the conditions laid down under section 438(2) Cr.P.C.

(Arvind Srivastava, J)

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