

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46427 of 2017

Arising Out of PS. Case No.-750 Year-2017 Thana- SASARAM NAGAR District- Rohtas

-
1. Hamiduddin S/o late Shah Saliuddin Aged about 70 Years
 2. Shadman S/o Shri Hamiduddin , aged about 30 Years Both Resident of Mohalla- Kabirganj, P.O. and P.S. Sasaram, District- Rohtas, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawabzada Syed Md. Babar Hayat Quadri
For the Opposite Party/s : Mr. SIR PRAMOD KUMAR PANDEY

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-10-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sasaram Nagar P.S. Case N0. 750 of 2017, disclosing offences under Sections 341,323,379,384,504,506/34 of the Indian Penal Code.

The petitioner No.1 is the father of petitioner No.2. The relationship between the petitioners and the informant is of landlord and tenant, according to the petitioners.

Learned counsel for the petitioners has submitted that the present First Information Report has been maliciously filed because of the dispute between the petitioner and the informant arising out of the tenancy over the shop in question.



Learned counsel for the informant has disputed such submission and has contended that petitioner No.1 is not the landlord of the premises rather the informant owns the said property.

Be that as it may, it is evident from the materials on record and submissions advanced on behalf of the parties, there is civil dispute between the petitioners and the informant, which is the main reason behind the controversy.

Considering the above submission, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released 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, Sasaram in Sasaram Nagar P.S. Case No. 750 of 2017 G.R. No. 5766/A, L-05, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail



bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

arun/-

U			
---	--	--	--

