

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5410 of 2017

Arising Out of PS.Case No. -160 Year- 2016 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Md. Abbas Ali @ Abbas Ali, son of late Dost Mohammad
 2. Salauddin @ Salamddin, son of Md. Mahamad
 3. Nazrul Imam @ Nazrul Imam Alam, son of Md. Abbas Ali
 4. Nuraisha Khatoon, wife of Md. Abbas Ali
 5. Jaibun Khatoon, wife of Aas Mahamad.
- All are resident of village Shrikhindi, P.S.- Sugauli, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 06-02-2017 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with a case registered under Sections 323, 324, 447, 504, 506, 307 and 379/34 of the Indian Penal Code.

Allegation in brief is that the accused persons assaulted the informant due to land dispute and committed theft also.

Learned counsel for the petitioners does not press the prayer for anticipatory bail of petitioner no.1 Md. Abbas Ali @ Abbas Ali so his prayer for anticipatory bail is dismissed as withdrawn.

It is submitted that as there was earlier partition in



between both sides so due to land dispute, the false allegation has been levelled against petitioners. It is also reflected that there is inordinate delay in lodging the F.I.R., which was lodged after considerable delay of 11 days. There is no specific allegation of assault against petitioners no.2 to 5. Prior to this case, a complaint case was filed from their sides against the informant, moreover two petitioners, namely, Nuraisha Khatoon and Jaibun Khatoon. Petitioner nos.4 and 5 are ladies and they have no criminal antecedent.

Having considered the aforesaid facts and circumstances, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioners no.2 to 5, namely, Salauddin @ Salamddin, Nazrul Imam @ Nazrul Imam Alam, Nuraisha Khatoon and Jaibun Khatoon 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 C.J.M., East Champaran at Motihari in connection with Sugauli P.S. Case No.160 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Arun Kumar, J)

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