

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12944 of 2017

Arising Out of PS.Case No. -2289 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Asadul Hamd, son of Late Abul Hamd,
 2. Md. Asif, son of Md. Aslam,
 3. Md. Aman @ Amanuddin @ Md. Amanuddin, son of Late Md. Moinuddin, All residents of Pirbahore Lane, P.S.- Pirbahore, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Musarrat Jahan @ Anni, D/o Late Gulam Sarf @ Bihari, R/o A/P Flat No.-601 Abu Fakhruddin Plaza, Langar Toli More, P.S.- Pirbahore, Patna-4 (wrong address mentioned on complaint Petition).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Ranjan, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 24-03-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioner Md. Aman @ Amanuddin @ Md.
Amanuddin has already been arrested in this case. Hence, his
prayer for anticipatory bail has become infructuous now.

The petitioners, namely, Asadul Hamd and Md. Asif,
are apprehending their arrest in a case registered for the offences
punishable under Sections 323/34/354B /380 /384 /418 /468 /471/
504/420B of the Indian Penal Code.

There is land dispute between the parties and the



petitioners claim that they had got the referred land through the father of the complainant; whereas claim of the complainant is that in fact petitioners are tenant therein and they have put wrongful claim when the complainant had gone to demand rent, the alleged occurrence took place.

Learned counsel for the petitioners has produced some rent receipts issued by municipal corporation in respect of the same land.

Learned counsel for the complainant opposed the prayer on the ground that petitioners have got criminal antecedents.

Considering the nature of allegation and the nature of dispute, let the petitioners, namely, Asadul Hamd and Md. Asif, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Smt. Sangeeta Rani, learned Additional Chief Judicial Magistrate-cum-Sub Judge-XIV, Patna/Successor Court in connection with Complaint Case No.2289(c) of 2016/Successor Court. With further condition that petitioners shall fully cooperate with the investigation and trial of



the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioners in this case.

(Birendra Kumar, J)

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