

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34018 of 2017

Arising Out of PS.Case No. -167 Year- 2016 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ranjeet Sah, Son of Hira Sah.
2. Shakti Kumar, Son of Ram Narayan Patel, Both are Resident of Village-
Bishunpur, P.S.- Kotwa (O.P. Banchiya), District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

4 09-11-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Kotwa P.S. Case No. 167 of 2016, registered under Sections
147, 148, 149, 323, 504, 427, 354, 379, 380, 384, 386, 387 and 307
of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that 35 decimals of land was settled
in the name of Bhola Mian, father of the informant, Gali Mian. The
father of the informant constructed the house on some portion of
land while some portion of land was vacant. Md. Akhlak offered to
informant to give vacant land to him but he refused. On
27.09.2016, six persons named in the F.I.R. including the petitioner



came armed with lathi, Danda, Sowrd, Nalkatwa and country made pistol and started to abuse him. When the complainant-informant made protest then they started to cause assault to him. In the meantime, Sakil Ahmad and Umesh Kumar, tore the Sari of his wife whereas Akhlakh Hussain pressed his neck.

Learned counsel for the petitioners submits that while the petitioners have been named in the complaint petition, which is the basis of the F.I.R., but no specific overt act has been attributed against them and the petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners 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, on furnishing bail bond of Rs. 10,000/- (ten thousand) their with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-X, East Champaran, Motihari, in connection with Kotwa P.S. Case No. 167 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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