

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30718 of 2018

Arising Out of PS.Case No. -496 Year- 2009 Thana -COMPLAINT CASE District- KISANGANJ

- =====
1. Allauddin @ Md. Allauddin
 2. Samru @ Md. Samoru
Both sons of late Irshad Ali, Both residents of Village – Satboliya,
Police Station – Paharkatta, District – Kishganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ram Bahadur Ram, Son of late Bhunar Ram, Resident of Village –
Satboliya, Police Station – Paharkatta, District – Kishanganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Firoz Ahmad

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 18-05-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a protest –cum- complaint case, wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 147, 323, 324, 427, 380 and 504 of the Indian Penal Code.

The prosecution case as per the protest – cum- complaint case is to the effect that the complainant and his brothers were provided money under Indira Awas scheme. It is alleged that the petitioners and others came and demanded the money from the brother of the complainant and when he refused



to give the same they assaulted the brother of the complainant and also took away Rs.8,000/- of Indira Awas scheme along with attache.

It is submitted by learned counsel for the petitioners that earlier the informant has lodged Paharkatta P.S. Case No. 12 of 2000 in which, on conclusion of investigation the police submitted final form but on filing of protest –cum-complaint petition by the informant, processes have been issued against the petitioners after taking cognizance. The accusation has been levelled in the background of land dispute. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP, however, submits that the petitioners are named in the complaint petition.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Kishanganj in connection with Complaint Case No. C-496 of 2009 arising out of Paharkatta P.S. Case No. 12 of 2000,



subject to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

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