

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39780 of 2018

Arising Out of PS.Case No. -18 Year- 2018 Thana -BELDAUR District- KHAGARIA

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1. Naim @ Md. Naim,
 2. Quddus, Both Sons of Late Rafique,
 3. Majkur @ Md. Majkur Alam,
 4. Masrul @ Masrul Alam, Both S/o Late Ayub,
 5. Ibrar @ Md. Ibrar, S/o Moin,
 6. Ansar S/o Qaiyum @ Abdul Qaiyum, All R/o Vill.- Chodhali, P.S.- Beldaur, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 10-07-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 452, 323, 153A, 379, 427, 114 and 188 of the Indian Penal Code.

The prosecution case as per the written report of Shrawan Kumar dated 04.02.2018 submitted to the Station House Officer, Beldaur P.S., is to the effect that on 03.02.2018 at 8.00 P.M. the informant along with his family members were taking meal, in the meantime, 40-50 people came, being



variously armed, they surrounded and entered into the house, assaulted the informant and they also tied the hands and legs of the informant and his family members. Thereafter, they brought two tractors along with them and loaded all the household articles of the informant on it and threatened of the dire consequences.

It is submitted by learned counsel for the petitioners that the accusation has been levelled in the background of Partition Suit No. 32 of 2013 between the petitioners and informant side which was ultimately decreed on the basis of compromise between the parties. There was a litigation before Revenue Authority being Mutation Case No. 1812/2016-17 which was decided in favour of the informant, but in appeal, the order of the Circle Officer was set aside. Earlier also similar nature of case was lodged by the informant.

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

Considering the accusation in the background of serious litigated relationship between the parties, 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 Chief Judicial Magistrate, Khagaria in connection with Beldaur P.S. Case No. 18 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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