

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1875 of 2018

Arising Out of PS. Case No.-436 Year-2017 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

-
1. Md. Jubair, S/o- Md. Hakim,
 2. Md. Sabir S/o Late Nur Mohammad,
 3. Hasina Khatoon @ Sakina Khatoon, W/o Md. Sabir,
 4. Md. Nizam @ Md. Nazam S/o Md. Jubair,
 5. Md. Sonu S/o Md. Jubair,
 6. Halima Khatoon, W/o Md. Jubair,
 7. Md. Islam, S/o Md. Sabir, All are resident of Village-
Chakabdulganj, P.S.- Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. SRI INDRA KUMAR SINGH

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-01-2018 Heard learned counsel for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 147,149,323,341,379,387,504 and 506 of the IPC.

The prosecution case as per the written report of Md. Samim Khan dated 29.7.2017 is to the effect that petitioner no. 7 Md. Islam was constructing safety tank on the land of the informant and on protest being made, Md. Islam and others who are petitioners before this court, assaulted the informant and his wife and snatched Rupees One Thousand One Hundred from the pocket of the informant.



It is submitted by learned counsel for the petitioners that in the background of serious land dispute the accusation has been levelled. No substantial injury has been caused to the informant side. Title Suit No. 300 of 2017 filed by the petitioners against the informant side is pending before the learned Sub-Judge VI, Samastipur. There is counter version of the occurrence being Samastipur P.S. Case No. 437 of 2017, which has been lodged by petitioner no. 7 against the informant side with accusation under sections 147,149,341,323,354(B),379,436,427,504 and 506 of the IPC.

Learned APP, however, submits that the accusation is specific against the petitioners.

Considering the accusation being levelled in the background of serious land dispute and pending Title Suit, there being counter version of the occurrence, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, - V, Samastipur in connection with Samastipur Mufassil P.S.



Case No. 436 of 2017, subject to the conditions laid down in
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

