

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63194 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -DAGARUA District- PURNIA

- =====
1. Ainul @ Md. Ainul
 2. Md. Mansoor alias Mansoor Both sons of Abdul Gaffar @ Gaffar All residents of village Dumra Kathwa, P.S. Dagarua, District Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 02-02-2018 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Dagarua P.S. Case No. 64 of 2017 for the offences punishable under sections 147, 148, 149, 341, 323, 307, 379, 354 (b) and 506 of the I.P.C.

Allegedly, the petitioners and co-accused came over the purchased land of the informant and started constructing house over the same and on protest the petitioners and other co-accused assaulted the informant and others and took away different articles.

Submission is of false implication and that Md. Gaffar



purchased 1.41 acres of land in the year 1991 and donated 50 decimals of land to Madarsa Jamiya Majahera but the informant and his men came there to take possession of the land forcibly and on protest this false case has been lodged, no injury has been caused to any one, Md. Samsad and four others have been allowed pre-arrest bail in this case vide Cr. Misc. No. 29151 of 2017 and the petitioners having similar allegation also deserves sympathetic consideration.

The learned A.P.P. fairly submits that five other co-accused have been allowed pre-arrest bail by another co-ordinate Bench of this Court.

In the facts and circumstances stated above, the petitioners, in case of their arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M-II, Purnea in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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