

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55330 of 2018**

Arising Out of PS.Case No. -129 Year- 2018 Thana -HATHUA District- GOPALGANJ

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1. Sammi Mian @ Sami Ahmad, Son of Irfanul Haque,  
2. Washi Mian @ Washi Ahmad Sohim, Son of Irfanul Haque,  
3. Amir Hamza @ Hamir Hamza @ Md. Amir Hamza, Son of Sammi Mian,  
4. Jainul Abeddhi @ Jainul Abuddin, Son of Sammi Mian,  
All resident of Village- Mali Tola, P.S.- Hathua, District- Gopalganj,  
presently residing at Village- Inderwa Abdula, P.S.- Thawe (Gopalganj),  
Dist- Gopalganj.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Ashish Giri, Advocate.  
For the Opposite Party : APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      06-10-2018                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 379, 354(B), 504, 427, 448, 34 of the Indian Penal Code registered in connection with Hathua P.S. Case No. 129 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute between the parties as evident from the order dated 11.07.2018 passed by the S.D.M., Hathua in a case under Section 107 Cr. P.C. directing payment of



security of Rs. 50,000/- by the parties. The petitioners are variously related to the informant.

4. Learned APP assisted by learned counsel for the informant appearing *suo motu*.

5. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Hathua P.S. Case No. 129 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.



(iv) The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

Md. Ibrarul/-

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