

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27087 of 2018

Arising Out of PS.Case No. -388 Year- 2017 Thana -SULTANGANJ District- BHAGALPUR

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1. Md. Dablu @ Md. Equabal, S/o Md. Sattar,		
2. Md. Jabbar S/o Md. Salim, Both R/o Vill.- Kasimpur, P.S.- Sultanganj,		
District- Bhagalpur.		Petitioner/s
Versus		
1. The State of Bihar		Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 30-05-2018 Heard the learned counsel for the petitioners and
the learned APP for the State.

The petitioners seek regular bail in connection with
Sultanganj PS case no. 388 of 2017 instituted for the offences
punishable under Sections 147, 149, 323, 341, 325, 307, 384, 385,
448 of Indian Penal Code.

The case of the prosecution is that the brother of
the informant Babloo Khan had purchased a piece of land and
started constructing a house over the said land. Co-accused Md.
Miraj, who is Block President of a political party demanded
Rs. 1,50,000/- as extortion but on non-payment of the said
amount, the accused persons started abusing the informant and
committed theft of construction material. Consequently, they have
been paid Rs. 62,000/- as extortion. On 08.11.2017, the informant
received a telephonic message from Md. Miraj asking informant's
brother to meet him. During such meeting, on 09.11.2017, said



Md. Miraj further demanded extortion of Rs. 50,000/- from the brother of the informant and directed the informant's brother not to make further construction over the land till the demand raised is paid but the brother of the informant did not stop the construction work, consequently, eighteen accused persons armed with deadly weapon assaulted Babloo Khan and Sitara Begum.

The learned counsel for the petitioners submits that specific accusation of assault is against Md. Miraj. One of the injuries have been found to be grievous. Moreover, in the background of land dispute, since the land in question has wrongly been recorded in the name of the informant's side, the accusation has been leveled. It is further submitted that the petitioner no. 1 is languishing in custody since 18.02.2018 and the petitioner no.2 is languishing in custody since 23.02.2018.

Having regard to the facts and circumstances of the case, the abovenamed petitioners are directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. 1st, Bhagalpur in connection with Sultanganj PS case no. 388 of 2017.

(Mohit Kumar Shah, J)

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