

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37484 of 2018

Arising Out of PS. Case No.-15 Year-2018 Thana- MUFFASIL District- West Champaran

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1. Fate Mian @ Fateh Mian @ Fateh Mohammad Mian, S/o Late Ramjan Mian.
 2. Asgar Mian, S/o Late Alibaksh Mian.
 3. Nijamuddin Mian @ Najmuddin Mian, S/o Fate Miya @ Fatteh Mohammad Miya.

All resident of Village Kohra Bhawanipur, at present Hira Pakad, P.S. Manuapul Mufassil, Dist. West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Smt Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Bettiah Mufasil (Manuapul) P.S. Case No. 15 of 2018 registered for offences under sections 341, 323, 324, 307, 447, 427, 506 & 34 of the Indian Penal Code.

Allegation has been made that on account of land dispute, this case has been lodged and the petitioners' side were insisting the Informant for withdrawal of the case, on refusal, the incident has taken place.

Specific allegation has been made against petitioner no.2, Asgar Mian to have caused injury by Farsa.



Other co-accused Murtuza Mian has also caused injury by Farsa but, he is not the petitioner in the present case.

There being direct allegation of assault against the petitioner no.2, this Court is not inclined to grant privilege of anticipatory bail to him.

Accordingly, the prayer for anticipatory bail of the petitioner no.2, namely, Asgar Mian is rejected.

There is no specific allegation against the petitioner nos. 1 & 3, namely, Fate Mian @ Fateh Mian @ Fateh Mohammad Mian and Nijamuddin Mian @ Najmuddin Mian save and except they participated in the alleged incident.

Looking to the entire facts and circumstances of the case, let the petitioner nos. 1 & 3, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Mufasil (Manuapul) P.S. Case No. 15 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the them for investigation/interrogation, they will remain present



and if they would not present themselves, the privilege of grant
of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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