

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56474 of 2018

Arising Out of PS. Case No.-351 Year-2017 Thana- KOTWALI

District- Munger

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1. Md. Sajjo @ Md. Sajjad S/o Md. Hanif Resident of Mohalla- Neelam, Pani Tanki road, P.S. Kotwali, District- Munger.
2. Md. Aslamuddin S/o Md. Nizamuddin Resident of Mohalla- Azad Colony, Purabsari, P.S. Kotwali, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 10-12-2018 The petitioners seek bail in anticipation of their arrest in connection with Munger Kotwali (Purabsari) P.S. Case No. 351 of 2017 instituted for the offences under Sections 461, 379, 120(B) of the Indian Penal Code.

The petitioners and others are alleged to have made attempts of dispossessing the informant from his land situated near Neelam Cinema in the town of Munger. They are also alleged to have committed theft of articles kept on the land belonging to the informant. Some permanent



fixtures have also been uprooted.

The learned counsel for the petitioners has submitted that there is a dispute between the parties as a result of which this case has been lodged with incorrect facts. In fact, there is an agreement between the brother of the informant as well as the petitioners for purchase of a land and pursuant to the aforesaid agreement, rupees ten lakhs in advance has been paid to the brother of the informant.

Considering the nature of accusation in the F.I.R, this Court is of the view that the case primarily arises out of a civil dispute.

Regard being had to the aforesaid facts, the petitioners, above named, in the event of their arrest or surrender within a period of four weeks from today before the learned Court below, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Munger Kotwali(Purabsari) P.S.



Case No. 351 of 2017, G.R. No. 2634/2017, subject to the
conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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