

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15657 of 2018

Arising Out of PS.Case No. -71 Year- 2017 Thana -
PAKRIDAYAL District- EASTCHAMPARAN(MOTIHARI)

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1. Md. Jahangir @ Jahangir Mian,
2. Md. Jamir @ Jamir Mian.
3. Md. Wazir @ Wazir Mian,
4. Md. Amir @ Amir Mian.
5. Md. Alam @ Alam Mian.
6. Md. Manjur Alam @ Manjur Alam. All Sons of Late Israil Mian, All resident of Village Itwa, Police Station- Pakaridayal, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-04-2018 The petitioners seek bail in anticipation of their arrest in connection with Pakaridayal P.S. Case No. 71 of 2017 dated 22.05.2017 instituted for the offences under Sections 147, 148, 149, 427, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

It has been alleged in the F.I.R. that the petitioners were unauthorizedly plucking *Lichi* from the trees belonging to the informant and on protest, firing was resorted to. Two of the accused persons were armed with firearm weapons whereas others were armed with *Garasa* etc. The *Lichi* tree of



the informant is said to have been damaged by the petitioners.

Learned counsel for the petitioners has submitted that there is a dispute over the ownership of the trees and in the Title Suit which was decided way back in the year 1996, the trees were found to be the property of the petitioners.

In view of the rival claim of the parties over the land in question and the *Lichi* tree standing over the same, let the petitioners, above named, in the event of their arrest or surrender before learned Court below within a period of four weeks from today, be released on anticipatory bail on their furnishing bail bonds of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Vth, Motihari, East Champaran in connection with Pakaridayal P.S. Case No. 71 of 2017.

(Ashutosh Kumar, J)

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