

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22186 of 2018

Arising Out of PS.Case No. -153 Year- 2017 Thana -PURAINI District- MADHEPURA

- =====
1. Md. Yakoob @ Shekh (Sk.) Yakoob son of Shekh (Sk) Saheed
 2. Md. Jabaid @ Shekh (Sk.) Jabir @ Md. Jabir son of Shekh (Sk.), Saheed
 3. Md. Pappu @ Shekh (Sk.) Pappu son of Shekh (Sk.) Saheed
 4. Md. Saheed @ Shekh (Sk.) Saheed son of Shekh (Sk.), Imaman

All resident of village- Chanda Talim Tola, P.S. Puraini, Distt
Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh, Advocate

For the State : None

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 26-04-2018 Learned counsel for the petitioners submitted that petitioner no.1 Md. Yakoob @ Shekh (Sk.) Yakoob has already been arrested during the pendency of this application.

Heard learned counsel for the petitioners. Despite repeated calls no body appears on behalf of the State.

It is submitted by the learned counsel for the petitioners that the informant is the wife of Md. Jubair, who is son of Sk. Jalaluddin and Jalaluddin @ Goray is own brother of Sk. Saheed, petitioner no.4. It is further submitted that the petitioner nos.1, 2 and 3 are sons of petitioner no.4 and they all have been implicated



on account of on going land dispute between the father of the informant and petitioner no.4 for which the petitioner no.4 has filed a case under the Bihar Land Dispute Resolution Act. It is further submitted that from the first information report itself it would be evident that though the occurrence is alleged to have taken place on 30.11.2017, the written report was submitted on 13.12.2017. There is no plausible explanation for inordinate delay of thirteen days in institution of the first information report.

Having regard to the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioner nos.2, 3 and 4, namely, Md. Jabaid @ Shekh (Sk.) Jabir @ Md. Jabir, Md. Pappu @ Shekh (Sk.) Pappu and Md. Saheed @ Shekh (Sk.) Saheed are directed to 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 Judicial Magistrate, 1st Class, Uda Kishunganj, Madhepura, in connection with Puraini P.S. Case No.153 of 2017, subject to the conditions as laid down

So far as petitioner no.1 Md. Yakoob @ Shekh (Sk.) Yakoob is concerned, since learned counsel for the petitioners has submitted that during the pendency of this application he has already been arrested, his application for grant of pre-arrest bail is



dismissed as infructuous.

(Ashwani Kumar Singh, J)

Md.S./-

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