

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6561 of 2018

Arising Out of PS. Case No.-564 Year-2017 Thana- BANJARIA District- East Champaran

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1. Sheikh Samsuddin, Son of Sheikh Salman.
 2. Sheikh Khusbuddin, Son of Sheikh Salman.
 3. Sheikh Almuddin @ Almuddin, Son of Sheikh Salman.
 4. Sheikh Saidullah, Son of Sheikh Pohari.
 5. Sheikh Saniullah @ SK. Saniullah, Son of Sheikh Pohari.
 6. Sheikh Naimuddin, Son of late Sheikh Rahmatullah.
 7. Sheikh Saddaj, Son of Sheikh Saniullah.
 8. Md. Aalim @ Sheikh Aalim, Son of late Sheikh Monaf.
 9. Sahnaj, Son of Sheikh Naimuddin, All Resident of Village- Sukhidih, P.S.- Banjariya, District-East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. SRI PANCHANAND PANDIT

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-02-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 341, 323, 324, 447, 448, 427, 384, 504, 506 and 379 of the IPC.

The prosecution case, as per the written report of Noorhasan, dated 09.09.2017, submitted to the Station House Officer, Turkaulia (Banjariya) Police Station is to the effect that on 07.09.2017, the informant came to know that his old house is being demolished by certain persons, upon which he reached there and found that the petitioners were demolishing the house



of the informant. The son of the informant Miraj forbade them to demolish the house, in the meantime, petitioner no.6, Sheikh Naimuddin assaulted with farsa causing injury on the back of Miraj and when the informant's wife, Kamru Nesha came to save Miraj then petitioner nos. 1 and 2 assaulted her with lathi, when the informant and his family member entered into the house, the petitioners also entered into the house, abused the informant and asked him to transfer the land in question. The petitioners also took out jewellery and clothes, worth Rs. 15,000/-.

It is submitted by learned counsel for the petitioners that for the occurrence of 07.09.2017, the FIR was lodged on 09.09.2017. From the accusation, it appears that none have received any injury. The accusation has been levelled in the background of land dispute. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Considering the nature of accusation in the background of land dispute and the petitioners not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from



today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, East Champaran at Motihari in connection with Turkaulia P.S. Case No. 564 jof 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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