

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69346 of 2018

Arising Out of PS. Case No.-157 Year-2018 Thana- AMDABAD District- Katihar

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1. Sheikh Naushad, S/o-Late Sheikh Mojamil
 2. Sheikh Imam, S/o-Sheikh Naushad, Both are R/o-Chakwa Tola, Bairia, P.S.-Amdabad, Distt.-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-11-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 506, 504, 307/34 of the Indian Penal Code.

The prosecution case, in brief, is that in the backdrop of land dispute, the accused persons came and started abusing. On protest, the accused persons variously armed, assaulted the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the



present case. There is case and counter case between the parties. Free fight is alleged to have taken place due to land dispute. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands. Except Section 307 of the IPC, rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Dharmendra Singh, learned Judicial Magistrate-Ist Class, Katihar in connection with Amdabad P.S. Case No. 157 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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