

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6293 of 2018

Arising Out of PS. Case No.-157 Year-2017 Thana- NAUHATTA District- Saharsa

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1. Md. Jabiya @ Md. Jabbiullah,
 2. Md. Kari @ Md. Safi Ullah @ Safi Ullah,
 3. Md. Saddam, All Son of Md. Rustam , All R/o -Village and P.S.-
Nauhatta , District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. YOGENDRA KR. SINGH(APP)

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, 149, 323, 307, 386, 379, 380, 427, 448, 354, 504 and 506 of the IPC.

The prosecution as per the written report of Jahira Bakhoni dated 06.09.2017, submitted to the Station House Officer, Nauhatta Police Station is to the effect that all the FIR named persons along with 80-90 unknown person, variously armed, entered into the house of the informant and started abusing the daughter-in-law of the informant. On protest being made, the petitioners assaulted to the informant's side with iron rod and destroyed the house hold articles and when the husband of the informant came to rescue her, he was also assaulted by the



accused persons. All the accused persons took away two box containing ornaments and clothes worth Rs. 60,000/- and also gave life threat. It is specifically alleged that the petitioners caught hold of the daughter-in-law of the informant and misbehaved with her.

It is submitted by learned counsel for the petitioners that the accusation has been levelled in the background of land dispute. Nauhatta P.S. Case No. 158 of 2017 was registered on 07.09.2017 against the husband of the informant and other accused persons at the instance of petitioner no.2, Md. Kari with accusation under Sections 147, 143, 323, 384,379, 504 and 506 of the IPC. The impugned order suggests that the injury of the informant's side has been found to be simple. A statement has been made in paragraph no.3 of the petition that petitioner nos. 2 and 3 are not having any criminal antecedent. Though, petitioner no.1 is involved in one other case, but in that case he is on bail.

Considering the nature of accusation in the background of land dispute and the there being counter version of the occurrence, 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 ACJM-III, Saharsa in connection with Nauhatta P.S. Case No. 157 of 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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