

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3335 of 2019

Arising Out of PS. Case No.-128 Year-2018 Thana- MUFFASIL District- West Champaran

1. Md. Irfan @ Md. Irfan Ansari son of Manzoor Mian Resident of Village- Bharpatia, P.S.- Manuapul, District- West Champaran.
2. Manzoor Mian son of Late Jumrati Mian Resident of Village- Bharpatia, P.S.- Manuapul, District- West Champaran.
3. Md. Irshad @ Irshad Miyan son of Manzoor Mian Resident of Village- Bharpatia, P.S.- Manuapul, District- West Champaran.
4. Noor Mohammad @ Noor Mohammad Ansari son of Kismat Mian Resident of Village- Turhapatti, P.S.- Manuapul, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-01-2019 Heard the learned counsel for the petitioners and

the State.

The petitioners seek bail in anticipation of their arrest in connection with Bettiah Muffasil (Manuapul) P. S. Case No. 128 of 2018 dated 29.03.2018 instituted for the offences under Sections 448, 307, 376, 511, 506 and 34 of the Indian Penal Code.

Though the petitioners are alleged to have dragged and assaulted the informant and in the process, made her half naked, but the learned counsel for the petitioners has



submitted that about seven days prior to the occurrence, an effort was made by the family members of the informant to dispossess the petitioners from their land.

Learned counsel for the petitioners has also drawn the attention of this Court to the fact that one of the petitioners namely Manzoor Mian had filed a case against the husband of the informant and others on 22.03.2018 vide Bettiah Muffasil P. S. Case No. 118 of 2018.

Only in order to add seriousness to the allegation, the charge of Sections 376/511 I.P.C. has been introduced in the F.I.R.

However, from the bare reading of the F.I.R., it would become very clear that there was no intention on the part of the petitioners to outrage the modesty of the informant.

The injury report of the informant has also been brought on record, which indicates that she suffered simple injuries caused by hard and blunt substance.

Considering the aforesaid facts, especially the land dispute between the parties, the petitioners, above-named,



are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Bettiah Muffasil (Manuapul) P. S. Case No. 128 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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