

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8485 of 2019**

Arising Out of PS. Case No.-134 Year-2018 Thana- ABADPUR District- Katihar

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1. Md. Asgar @ Asgar Ali,
  2. Md. Rafid,
- Both are S/o Late Haider Ali, Resident of Village- Bochbari, P.S.- Abadpur,  
District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr. Mukesh Kumar Jha, Advocate |
| For the Opposite Party/s | : | Mr. Kumar Ranjit Ranjan, APP   |
| For the Informant        | : | Md. Musowir, Advocate          |

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      13-02-2019                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case  
registered for the offences punishable under Sections 341, 342, 323,  
325, 307, 379, 427/34 of the Indian Penal Code.

Allegation is that the petitioners cutaway the tree from the  
disputed land.

Learned counsel for the petitioners submits that the  
petitioners are rustic villagers and they have no knowledge that even  
for cutting any tree from own land permission of the authority is  
needed. So far this case is concerned, it is admitted fact that dispute  
is going on between the parties.

Learned counsel for the informant opposed the prayer for



bail on the ground that the petitioners are accused in Abadpur P.S. Case No.182 of 2017 which they have suppressed in para-3 of the bail petition.

Perusal of the said FIR would reveal that the FIR was lodged by the agnate and subsequently parties have filed compromise petition in this case.

Considering the nature of allegation, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Abadpur Police Station Case No. 134 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

**(Birendra Kumar, J)**

Mkr./-

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