

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6883 of 2019

Arising Out of PS. Case No.-635 Year-2018 Thana- SAHARSA District- Saharsa

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1. Md. Mustakim
 2. Md. Mosim @ Mosim
 3. Md. Mustafa

All son of Sarif Nutt

All resident of Nariyar, Ward No. 02, Police Staion & District - Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-02-2019 Heard the learned counsel for the petitioners and

the State.

The petitioners seek bail in anticipation of their arrest in connection with Saharsa Sadar P. S. Case No. 635 of 2018 dated 25.05.2018 instituted for the offences under Sections 341, 323, 379, 307, 384, 504, 506, 324 and 34 of the Indian Penal Code.

It has been alleged in the F.I.R. that while the informant was having a boundary wall erected on a purchased plot of land, the accused persons including the petitioners arrived. Out of them, one Bhola Singh is said to



have demanded an amount of Rs. 2,00,000/- before proceeding with the construction work. On refusal, the informant and others were assaulted and some valuables of one of the associates of the informant was also taken away.

Learned counsel for the petitioners has submitted that there is a counter version of the occurrence lodged by one Sarif Nutt. The informant has received multiple injuries, but except for one on his head, which is attributable to Sarif Nutt, all other injuries have opined to be simple in nature. A 144 Cr.P.C. proceeding was also pending over the plot of land over which the parties are staking their respective claims. So far as the petitioners are concerned, the allegations against them are general and omnibus including that of taking away valuables from the possession of the associates of the informant.

Regard being had to the aforesaid facts and also taking into account the clean antecedents of the petitioners, they 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, Saharsa in connection with Saharsa Sadar P. S.
Case No. 635 of 2018, subject to the conditions as laid
down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

skm/-

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