

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9530 of 2019

Arising Out of PS. Case No.-307 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

1. ABID ALI @ ABID HUSSAIN, Son of Ali Hussain
 2. Zakir Ali @ Zakir Hussain, Son of Ali Hussain
- Both Resident of village-Orma, P.S.-Siwan Mufassil (Mahadeva), District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Zeyaul Hoda

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioners. No one appears for the State to oppose this application.

Petitioners are seeking anticipatory bail in connection with Siwan Mufassil (Mahadeva) P.S. Case No. 307 of 2018 registered for the offences punishable under Sections 385, 387 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the allegations against the petitioners are that they had stopped the informant from making a construction of go-down on the land bearing Khata No.72, Khesra No.63 measuring area 15 katha for which the informant had allegedly paid a sum of Rs.15 lakhs as



an advance. Learned counsel submits that from Annexure-2 it will appear that the land in question belongs to the petitioners. So far as the informant is concerned, he is a life convict in Siwan Town P.S. Case No.135 of 1991 for the offence under Section 302 of the Indian Penal Code, he is presently on bail in the said case and there are altogether six other cases of serious nature against him. It is submitted that in these circumstances it cannot be believed that these petitioners have indulged in asking for any money at pistol point from the informant as rangdari tax.

Considering the facts and circumstances of the case wherein it is the submission of the petitioners that the land belongs to them and other circumstances which have explained to this Court, in case of arrest or surrender of the petitioners within a period of four weeks from today, the abovenamed petitioners shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Siwan Mufassil (Mahadeva) P.S. Case No. 307 of 2018, subject to the condition that petitioners shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in



addition to condition prescribed under Section 438(2) of the
Cr.P.C.

(Rajeev Ranjan Prasad, J)

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