

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17807 of 2019

Arising Out of PS. Case No.-368 Year-2018 Thana- BAIRIYA District- West Champaran

1. Anwarul Haque, Son of Late Yunus Mian @ Enus Mian Resident of Village- Bagahi Tamolia Tola, P.S.- Bairiya, District- West Champaran.
2. Mahmood Alam @ Mahmood Mian Son of Late Yunus Mian @ Enus Mian Resident of Village- Bagahi Tamolia Tola, P.S.- Bairiya, District- West Champaran.
3. Tarique Anwar @ Batu Mian Son of Anwarul Haque Resident of Village- Bagahi Tamolia Tola, P.S.- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 28-03-2019 Heard the learned counsel for the petitioners,
the informant and the State.

The petitioners seek bail in anticipation of their arrest in connection with Bairiya P.S. Case No. 368 of 2018 dated 01.10.2018 instituted for the offences under Sections 341, 323, 354, 379, 385, 504 and 34 of the Indian Penal Code.

The petitioners are alleged to have created disturbance and demanded ransom amount for construction of a shop of the informant who is an advocate by profession.

Learned counsel for the petitioners has submitted that there is a pending land dispute between



the parties and a 133 and 107 Cr.P.C. proceedings are pending between them.

No person is said to have been injured in the occurrence.

For the aforestated facts, the petitioners 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, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 368 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

However it is made clear that if the petitioners would create any further disturbance in the peaceful enjoyment of the property of the informant, it would be open for the informant to move for cancellation of the anticipatory bail of the petitioners.

(Ashutosh Kumar, J)

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