

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15772 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- NARPATGANJ District- Araria

1. MD. AKBAR Son of Hasmat Mian Resident of Village - Bardaha, P.S.- Narpatganj, District- Araria
2. Md. Taswar Son of Hasmat Mian Resident of Village - Bardaha, P.S.- Narpatganj, District- Araria
3. Md. Mantu Son of Md. Akbar Resident of Village - Bardaha, P.S.- Narpatganj, District- Araria
4. Md. Shoukat Son of Md. Akbar Resident of Village - Bardaha, P.S.- Narpatganj, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-03-2019 Heard learned Counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 447,341,323,354B,379, 384,504 and 506/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report dated 06.11.2019 submitted by Sageera Khatoon to the Station House Officer, Narpatganj Police Station is to the effect that on the same day at 10.00 A.M., while the informant was



installing stake over her purchased land, in the meantime, FIR named accused persons, including the petitioners, came variously armed and made protest for the same. Thereafter, the accused persons started abusing the informant, when petitioner no.1, Md. Akbar lifted the informant and threw her down on the earth, while petitioner no.2, Md. Taswar tore the clothes of the informant and assaulted her with fists and slaps. It is further alleged that in course of assault, the accused persons snatched a silver locket from the informant. It is further alleged that after having heard the noise, the mother of the informant came to rescue the informant and pacified the matter. But thereafter petitioner nos. 1 and 2 demanded Rs.50,000/- as extortion from the mother of the informant for allowing them to construct their house over the said land.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled against all the petitioners and neither the FIR nor does the impugned order suggest any injury being caused to the informant and her mother. It is further submitted that there is a counter version of the occurrence being, Complaint Case No.235 of 2019 filed by the wife of petitioner no.1, namely, Sadina Khatoon against the informant and her family members.



A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the accusation is specific against the petitioner.

Considering the fact that the impugned order does not suggest the nature of injury caused to the informant and her mother and statement being made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Narpatganj P.S. Case No.11 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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