

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22886 of 2019

Arising Out of PS. Case No.-291 Year-2018 Thana- BAUSI District- Purnia

1. Md. Mukhtar @ Mukhtar, Son of Late Mohiuddin, Resident of Village- Habdang P.S.- Baisi District- Purnea.
2. Md Naiyer @ Naiyer Alam, Son of Late Mohiuddin, Resident of Village- Habdang P.S.- Baisi District- Purnea.
3. Md Mahboob @ Mahboob Alam, Son of Late Mohiuddin, Resident of Village- Habdang P.S.- Baisi District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-07-2019 This is an application for grant of anticipatory bail in connection with Baisi P.S. Case No. 291 of 2018, disclosing offences under Sections 341, 323, 379, 384, 504 and 506 of IPC.

Prosecution story in short is that informant is the wife of petitioner no.3 and at the time of her marriage, her father was allowed the petitioner to reside in her house and thereafter, her husband performed second marriage, but he is still residing in the same house, for which, he has been convicted in a case under Section 498A of IPC also and they have falsely constructed a house on the land of her father and also demanded Rs.2,00,000/- as Rangdari.

Submission of the learned counsel for the petitioners



is that a title Suit No.11 of 2018 has already been filed by the informant side before the Civil Court and that is still pending.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, they have opposed the prayer for bail on the ground that petitioner no.3 is convicted and moreover, they are not ready to vacate the land of the father of opposite party no.2 and demanding Rangdari.

Having heard both sides, considering the above submissions, so far as, petitioner no.3 is concerned, I am not inclined to grant privilege of anticipatory bail to him, hence dismissed.

So far as, other petitioners are concerned, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Baisi P.S. Case No. 291 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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