

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22077 of 2019

Arising Out of P.S. Case No.-1387 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

-
1. AJAY UPADHAYAY, aged about 62 years, Male, S/O Ram Briksh Upadhyay, R/O Bahuarwa Tola Pakdiyar, P.S.- Yogapatti Hall, Sanichari, Dist- West Champaran.
 2. Manan Mian, aged about 48 years, Male, S/O Nathuni Mian, R/O Bahuarwa, P.S.- Yogapatti, Dist- West Champaran.
 3. Bhola Yadav, aged about 50 years, Male, S/o Kholalal Yadav, R/O Basopatti, P.S.- Sanichari, Dist- West Champaran.
 4. Yunush Mian @ Inus Alam @ Yunus Alam, aged about 35 years, Male, S/O Manan Mian, R/O Bahuarwa, P.S.- Yogapatti, Dist- West Champaran.
 5. Reyazul Mian, aged about 48 years, Male, S/o Nathuni Mian, R/O Bahuarwa, P.S.- Yogapatti, Dist- West Champaran.
 6. Amirul Mian @ Amrul Mian, aged about 50 years, Male, S/O Nathuni Mian, R/O Bahuarwa, P.S.- Yogapatti, Dist- West Champaran.

... .. Petitioners

Versus

1. The State of Bihar
2. Nandani Devi, W/o Rakesh Kumar Upadhyay, R/O Bahuarwa Tola Pakdiyar, P.S.- Sanichari, Dist- West Champaran.

... .. Opposite Parties

Appearance :

For the Petitioners : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Parties : Mr.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-07-2019 Heard learned counsel for the petitioners, learned counsel for the Informant and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 427 and 420 of the Indian Penal Code.



As per the prosecution the petitioners forming an unlawful assembly trespassed the land of the informant and started abusing as well as assaulted the informant and her husband, during course of which, informant got half naked. It is further disclosed that her grains were also destroyed by the accused persons.

It is submitted on behalf of the petitioners that there is case and counter case between the parties. It is further submitted that petitioners have falsely been implicated in this case due to land dispute. He further submits that a Title Suit No.16 of 2018 is going on between the parties and it is at best case of civil nature. Petitioners have got no criminal antecedent.

Learned counsel for the informant submits that there is specific allegation against petitioner nos.2, 5 and 6.

Considering the facts aforesaid, let the petitioners above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bettiah, West Champaran/successor Court in connection with Complaint Case No.1387C of 2017,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Prabhat Kumar Singh, J)

B.Kr./-

U		T	
---	--	---	--

