

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29531 of 2019

Arising Out of PS. Case No.-53 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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1. Noorddin Mian @ Md. Noorddin Son of Late Ish Mohammad Mian
 2. Bare Mian @ Bare Miya Son of Noorddin Mian @ Md. Noorddin
 3. Chhote Mian Son of Noorddin Mian @ Md. Noorddin
- All are residents of Village-Khadda Rahimpur, Police Station-Nautan,
District-West Champaran, at present Resident of Sagar Pokhra Bettiah,
Police Station-Bettiah Town, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 06-05-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Bettiah Town P.S. Case No. 53 of 2018,
registered for the offence punishable under Sections 341, 342,
323, 384, 379 and 34 of the Indian Penal Code.

Allegation has been made that when the informant
along with his elder brother have come to Court, all the accused
persons including the petitioners surrounded and assaulted them
and taken them on the motorcycle to their house where they
took his thumb impression on a plain paper and snatched Rs.
10,000/-, however, counsel for the petitioners submits that
petitioner no.1 has given 391 quintals paddy for milling and
returning the rice, but the informant did not return the same and



for that the FIR has been lodged by the petitioners' side against the informant's brother vide Nautan PS Case No. 309 of 2017 for offence punishable under Sections 420, 409, 341, 504 of the Indian Penal Code and when the rice was not given to the Cooperative Society then Cooperative Officer has lodged a criminal case against the petitioners as well as the informant. Counsel for the petitioners submits that in retaliation, the present case has been lodged after delay of three days within any explanation.

Looking to the entire facts and circumstances of the case, let the petitioners, above-named, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, District-West Champaran, in connection with Bettiah Town P.S. Case No. 53 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

V.K.Pandey/
S. Katyayan/-

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