

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34640 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- CHOUTARWA District- West Champaran

1. Faiyaj Ahmad, male, aged about 50 years, Son of Late Adalat Hussain Resident of Village - Raybari Mahuawa, P.S.- Chautarwa, Dist.- West Champaran.
2. Abrar Ahmad @ IbranAhmad, male aged about 32 years, Son of Faiyaj Ahmad Resident of Village - Raybari Mahuawa, P.S.- Chautarwa, Dist.- West Champaran.
3. Isteyaq Ahmad, male, aged about 26 years, Son of Faiyaj Ahmad Resident of Village - Raybari Mahuawa, P.S.- Chautarwa, Dist.- West Champaran.
4. Mustaq Ahmad, male, aged about 22 years, Son of Faiyaj Ahmad Resident of Village - Raybari Mahuawa, P.S.- Chautarwa, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323, 324, 325, 307, 379, 341, 427, 504, 506/34 of the Indian Penal Code.

The prosecution case in brief is that a tractor of the informant was stopped by the accused persons and on protest petitioners along with 20-25 unknown persons surrounded the informant and assaulted the informant. It is further submitted that Abrar and Ishteyaq assaulted the informant with



farsa on his head and thereafter on the leg of the informant and while fleeing away Faiyaj Ahmad snatched Rs.70,000/- from the pocket of the informant.

The contention of the petitioners is that the petitioners have falsely been implicated in this case. There is case and counter case between the parties. Due to land dispute between the parties, this false case has been instituted against the petitioners. All sections are bailable except Sections 307 and 379 of the IPC. The injuries sustained by the informant and his nephew have been found to be simple in nature.

Considering the facts aforesaid, let the petitioners above named, in the event of his 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 1st Bagha, West Champaran/successor Court in connection with Chautarwa P.S. Case No. 81 of 2019, 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)

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