

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39619 of 2019

Arising Out of PS. Case No.-27 Year-2019 Thana- HASANGANJ District- Katihar

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1. MD. FIROZ @ MOHD. FIROZ Son of Md. Jahur, Resident of Village - Panserwa, P.S.- Hasanganj, Distt - Katihar.
 2. Md. Laddu Son of Md. Jahur, Resident of Village - Panserwa, P.S.- Hasanganj, Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 28-06-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Hasanganj P.S. Case No. 27 of 2019 registered for offence punishable under sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

On account of land dispute, the accused persons entered into the house of informant and resorted violence. On the order of MD. FIROZ @ MOHD. FIROZ, Md. Laddu tried to puncture the belly of the informant, but due to intervention of his mother, the injury was caused in her finger.

The learned counsel for the petitioner submits that there is a land dispute, for that, a proceeding under section 107



Cr.PC. has been initiated against both the parties.

Looking to the fact that the petitioner no. 1 is order giver, his prayer for bail is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Katihar in connection with Hasanganj P.S. Case No. 27 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner no. 1 shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner no. 1 will not induce any witness or tamper with the evidence. The petitioner no. 1 shall cooperate in the disposal of trial and make themselves available as and when required by the court.

So far petitioner no. 2, his prayer for bail is rejected. However, if he surrenders and prays for regular bail, the court below without being prejudiced by this order, will take decision in accordance with law, preferably on the same day.

(Shivaji Pandey, J)

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