

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39385 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- KOCHADHAMAN District- Kishanganj

1. ASAD ALAM @ ASHAD ALAM@Guddu Son of Afsar Alam Resident of Mansura, P.S.- Kochadhaman, District- Kishanganj.
2. Nishrat Alam @ Nisharat Alam Son of Late Abusad Alam Resident of Mansura, P.S.- Kochadhaman, District- Kishanganj.
3. Sohail Alam @ Sohel Son of Late Abusad Alam Resident of Mansura, P.S.- Kochadhaman, District- Kishanganj.
4. Kamruzzama Son of Late Islamuddin Resident of Mansura, P.S.- Kochadhaman, District- Kishanganj.
5. Afsar @ Afsar Alam Son of Late Hasibuddin Resident of Mansura, P.S.- Kochadhaman, District- Kishanganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Vijay Kumar
For the Opposite Party State:		Mr. R.B. Roy 'Raman', APP
For the Informant	:	Mr. Jagdish Prasad
		Mr. Manjur Karim

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 27-06-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kochadhaman P.S. Case No. 57 of 2019 for the offence punishable under Sections 147, 148, 341, 323, 324, 307 506 and 379 of the Indian Penal Code.

It is evident from the First Information Report that the alleged occurrence, if any, had taken place because of land



dispute between the parties.

Learned counsel appearing on behalf of the petitioners has contended that even if the allegations made in the First Information Report are taken to be correct, there is allegation against co-accused Imteyaz Alam of having assaulted the informant's brother and so far as these petitioners are concerned, there is no specific allegation of assault.

Considering the nature of dispute between the parties, which was, admittedly, existing on the date of occurrence and the nature of allegation against these petitioners, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kishanganj, in Kochadhaman P.S. Case No. 57 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their



part to appear before the Court on two consecutive occasions,
their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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