

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.44162 of 2019

Arising Out of PS. Case No.-173 Year-2018 Thana- CHAUSA District- Madhepura

1. MD. SAMEER, aged about 65 years, Male, Son of Md. Muddi, Resident of Village - Paina, P.S.- Chausa, Distt - Madhepura
2. Md. Ibrahim, aged about 62 years, Male, Son of Md. Muddi, Resident of Village - Paina, P.S.- Chausa, Distt - Madhepura
3. Md. Muntajeer, aged about 24 years, Male, Son of Md. Sameer, Resident of Village - Paina, P.S.- Chausa, Distt - Madhepura
4. Bibi Chhedni, aged about 60 years, Male, Wife of Md. Sameer, Resident of Village - Paina, P.S.- Chausa, Distt - Madhepura

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Dr. Sanjay Kumar Singh, Adv.

For the Opposite Party : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 18-07-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Chausa P.S. Case No. 173 of 2018 for the offences alleged under Sections 341, 323, 354, 379, 386, 387, 504, 427, 506 and 34 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that on 04.07.2018 informant, Bibi Tamanna Khatoon, came to know that petitioners are carrying the soil digging the land of the informant, purchased in the year 2013, thereafter, the informant, along with nephew, Faiyaz, went to the field and saw that the petitioners and others were engaged in cutting the soil, which was being loaded on the trolley of the tractor. At that time petitioner no. 1 was armed with gun whereas petitioners no. 2 and 3 were armed with lathi. When informant made protest all started to abuse and made demand of



ransom of Rs.2,00,000/-. They also opened fire to make terror and scuffled with Faiyaz. When informant tried to save her nephew, Faiyaz, petitioner no. 4 snatched her golden chain.

The submission of the learned counsel for the petitioners is that due to land dispute informant lodged the present case with false allegation.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Chausa P.S. Case No. 173 of 2018 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, Udakishunganj, Madhepura, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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

