

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60683 of 2018

Arising Out of PS. Case No.-128 Year-2018 Thana- ISHAKCHAK District- Bhagalpur

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1. Md. Chand @ Sahbaz @ Md. Sahbaz, son of Md. Sajid,
 2. Bibi Naseera @ Bibi Nasreen, W/o Md. Chand @ Sahbaz,
 3. Reshma @ Reshmi @ Reshmi Reshma,
 4. Neha ,
 5. Lucy @ Afreen Khanam, Petitioner no. 3 to 5 D/o Md. Chand @ Sahbaz, All Resident of Mohalla- Bhikanpur Tank Lane, P.S. Ishakchak, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda, Advocate.

For the Opposite Party/s : Md. Arif, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 05-02-2019 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Ishakchak P.S. Case No. 128 of 2018 registered under Sections 323,
341, 448, 308, 385 and 504/34 of the Indian Penal Code.

The accusation is that due to land dispute, proceeding
under Section 107 of the Cr.P.C. was going on in between informant,
Md. Shahid Khan and Md. Chand @ Sahbaz @ Md. Sahbaz
(petitioner no. 1) due to that reason petitioner no. 1 locked the door
from outside of his house. When he made request to unlock the door
then petitioners made demand ransom of Rs.1,00,000/- on
23.06.2018. When informant made protest saying that same is



residential house, on which, petitioners came there having lathi and danda and started to abuse and caused assault to him. In the meantime, when Chandani, daughter of the informant, came there to save him then she was assaulted brutally by petitioners and at that time, wife of the informant was also assaulted.

Learned counsel for the petitioners submits that, in fact, hot talk was exchanged in between the petitioner no. 1 and informant due to land dispute but with ulterior motive the informant lodged the present case against the whole family members of the petitioners. Moreover, no any external injury was found by the Doctor over Chandani, daughter of the informant, which would appear from the case dairy.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on 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 bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur, in connection with Ishakchak P.S. Case No. 128 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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