

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44493 of 2019

Arising Out of PS. Case No.-403 Year-2018 Thana- JOKIHAT District- Araria

1. INAMUDDIN @ NAYEEMUDDIN Son of Rozid Resident of Village-Barhuwa, Matiyari, P.S.-Jokihat, District-Araria.
2. Zakir Son of Inamuddin @ Nayeemuddin Resident of Village-Barhuwa, Matiyari, P.S.-Jokihat, District-Araria.
3. Mujahid Son of Gheru Sah @ Gheru Resident of Village-Barhuwa, Matiyari, P.S.-Jokihat, District-Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-07-2019 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Jokihat P.S. Case No.403 of 2018 registered under Sections 341, 323, 354B, 427 and 504/34 of the Indian Penal Code.

The accusation is that two goats of the informant was grazing the crop of Inamuddin (petitioner no.1), then the petitioner no.1 caught hold of both the goats of the informant and took them to his house and, thereafter, he beaten the one goat to death and confined another goat in the house. When the informant along with his wife went to the house of the petitioner no.1 and made request to handover his goat, then six persons, named in the F.I.R., including



the petitioners started to abuse. When the informant made protest, all caused assault to the informant through lathi and danda. They also assaulted the wife of the informant and torn her clothes.

Learned counsel for the petitioners submits that the informant and the petitioners are Gotiyas and there is some dispute in between them and taking the advantage of the death of one goat, the informant has lodged the present case. Further submission is that except one case, as detailed in paragraph-11 to this application, which has been lodged by the wife of the informant, the petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in connection with Jokihat P.S. Case No.403 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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