

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45719 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- JOKIHAT District- Araria

1. ABDUS SALAM Son of late Khalil Resident of Village - Masuriya, P.S.- Mahalgaon, Distt - Araria.
2. Abrar Son of Abdus Salam Resident of Village - Masuriya, P.S.- Mahalgaon, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Jokihat (Mahalgaon) P.S. Case NO. 167 of 2019, disclosing offences under Sections 447,504,506/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is apparent from the First Information Report that there is land dispute between the informant and the persons named in the First Information Report, who are full brothers. There is allegation that the petitioners who are named in the F.I.R. and another 8 to 10 persons attempted to break upon the door of the informant's house and when the villagers gathered, they fled away after opening fires.

Learned counsel for the petitioners contends that except Section 27 of the Arms Act, other provisions of the



Indian Penal Code, which has been mentioned in the First Information Report are available.

Learned counsel for the informant has opposed the prayer for anticipatory bail.

However, considering the circumstance that there is no injury alleged in the First Information report and land dispute between the parties is an admitted fact, 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 Chief Judicial Magistrate, Araria in Jokihat (Mahalgaon) P.S. Case No. 167 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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