

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46013 of 2019

Arising Out of PS. Case No.-90 Year-2019 Thana- PALASI District- Araria

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1. MD. HAKIM @ MD. HAKIMUDDIN Son of Late Fateh Mohammad Resident of Village- Tarbi Ward No.1, Police Station- Palasi, District- Araria.
 2. Md. Jamal Son of Late Fateh Mohammad Resident of Village- Tarbi Ward No.1, Police Station- Palasi, District- Araria.
 3. Md. Rabbani Son of Jalal Resident of Village- Tarbi Ward No.1, Police Station- Palasi, District- Araria.
 4. Md. Nayeem Son of Late Hafij Resident of Village- Tarbi Ward No.1, Police Station- Palasi, District- Araria.
 5. Md. Rahmat Ali Son of Hakim Resident of Village- Tarbi Ward No.1, Police Station- Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anamul Haque
For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Palasi P.S. Case No. 90 of 2019, disclosing the offence under Section 307 and other allied Sections of the Indian Penal Code.

It is evident from the First Information Report itself that there is land dispute between the petitioners and the informant.

Learned counsel appearing on behalf of the petitioners submits that petitioner no. 1 and the informant are brother and



sister respectively. Petitioner no. 2 is brother of petitioner no. 1 whereas petitioner no. 5 is son of petitioner no. 1. Petitioners are of the same family. There is general and omnibus allegation of assault arising out of the family dispute and a counter-case is said to have been filed by petitioner no. 1.

Considering the genesis of occurrence, 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 bonds of Rs. 10,000/-(ten thousand), each with two sureties of the like amount, each to the satisfaction of the learned A.C.J.M. VI, Araria in Palasi P.S. Case No. 90 of 2019, subject to the condition 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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