

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60520 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- PANDAU District- Madhubani

1. SANSARUL HAQUE, aged about 52 years, Male, S/o Late Md. Mobin, R/o Bhagwatipur Mantol, P.S.- Pandaul, District- Madhubani
2. Md. Alam, aged about 30 years, Male, S/o Late Md. Niruddin, R/o Bhagwatipur Mantol, P.S.- Pandaul, District- Madhubani
3. Md. Shamim, aged about 51 years, Male, S/o Md. Yasin, R/o Bhagwatipur Mantol, P.S.- Pandaul, District- Madhubani
4. Alauddin, aged about 37 years, Male, S/o Md. Mosim, R/o Bhagwatipur Mantol, P.S.- Pandaul, District- Madhubani
5. Mannan, aged about 55 years, Male, S/o Md. Kasim, R/o Bhagwatipur Mantol, P.S.- Pandaul, District- Madhubani ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Baidya Nath Thakur
For the Opposite Party : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Pandaul P.S. Case No. 95 of 2019 for the offences alleged under Sections 447, 341, 323, 379, 307, 504 and 34 of the Indian Penal Code.

The accusation is that 11 persons named in the first information report, including the petitioners, due to land dispute, which is in possession of the informant, variously armed with the weapons, came near the house of the informant and started to cause assault and sprinkled chili powder. At that



time, petitioner no. 1, Sansarul Haque, caused the sword blow at the head of the informant and when the wife of the informant rushed to save him, then, she was also assaulted by Sansarul Haque (petitioner no. 1), Md. Shamim (petitioner no. 3), Alauddin (petitioner no. 4) and M. Alam (petitioner no. 2), Alauddin and Md. Shamim also snatched the chain from the neck of the informant. Petitioner no. 1, Sansarul Haque, also snatched cash of Rs.20,000/- from the pocket of the informant.

The submission of the learned counsel for the petitioners is that due to land dispute occurrence of marpeet took place in which petitioners' side also sustained injury, regarding which Pandaul P.S. Case No. 94 of 2019 was instituted on 13.05.2019 on the basis of the fardbeyan of co-accused, Rehana Khatoon. More over, injuries, as found on the person of the informant and other injured, are all of simple in nature.

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 Pandaul P.S. Case No. 95 of 2019 shall be released on 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 Chief Judicial Magistrate, Madhubani, or
the successor Court subject to the conditions as laid down under
Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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