

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55494 of 2019

Arising Out of PS. Case No.-178 Year-2019 Thana- PURNEA SADAR District- Purnia

MD. MUSTAQUIM Son of Late Sk. Mahabali @ Late Mahabali, Resident of
Village - Kanaila, P.S.- Sadar (Muffasil), District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Khatim Reza

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-09-2019 Heard both sides.

The petitioner apprehends his arrest in Sadar (Mufassil) P.S. Case No.178 of 2019 registered under Sections 341, 342, 441, 323, 307, 435, 379, 504 and 506 of the Indian Penal Code.

The informant alleged that while he was constructing tati on 30.03.2019, his agnates including the petitioner came and began to abuse the informant. Md. Naushad assaulted the informant with iron rod on his head. When the wife of the informant came to save, she was also assaulted by the accused with fists and slaps and the petitioner is alleged to have snatched her silver chain from her neck.

Learned counsel for the petitioner submits that the petitioner is own brother of the informant. There is a land



dispute between two brothers prior to the institution of the case. The informant lodged two more criminal cases against the petitioner being Sadar (Mufassil) P.S. Case No.474 of 2016 and Sadar (Mufassil) P.S. Case No.298 of 2018. It is further submitted that the proceedings under Sections 107 and 144 of the Cr.P.C. were initiated in between two sides. The informant got simple injury.

Having considered the facts that the petitioner and the informant are full brothers and there is a land dispute between both sides, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with Sadar (Mufassil) P.S. Case No.178 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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