

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56197 of 2019

Arising Out of PS. Case No.-270 Year-2018 Thana- MAJHAULIA District- West Champaran

1. Hajrat Ali @ Monu Mian, Son of Majbullah Mian Resident of Village- Madhopur, Sheikh Toli, Police Station- Majhauriya, District- West Champaran.
2. Abbas Mian Son of Sadik Mian Resident of Village- Madhopur, Sheikh Toli, Police Station- Majhauriya, District- West Champaran.
3. Tajmullah Mian Son of Ayub Mian Resident of Village- Madhopur, Sheikh Toli, Police Station- Majhauriya, District- West Champaran.
4. Taukeer Mian Son of Abdul Rahman Resident of Village- Madhopur, Sheikh Toli, Police Station- Majhauriya, District- West Champaran.
5. Aliyas Mian Son of Sadik Mian Resident of Village- Madhopur, Sheikh Toli, Police Station- Majhauriya, District- West Champaran.
6. Abdul Rahman Son of Sanif Mian Resident of Village- Madhopur, Sheikh Toli, Police Station- Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 04-09-2019 Heard Sri Sanjay Kumar, Advocate learned counsel appearing on behalf of petitioners, Sri Arbind Kumar Sharma, Advocate learned counsel appearing on behalf of informant and the learned A.P.P. for the State.

The petitioners apprehend arrest in connection with Majhauriya P.S. Case no. 270 of 2018, registered under Sections 147, 148, 149, 341, 323, 324, 307, 354, 448, 380, 420 and 504 of the Indian Penal Code.



The accusation is that in the morning of 22.06.2018, Tajmullah Mian (petitioner No.3) started erecting boundary wall behind the house of the informant covering her land. The informant made protest on which petitioners and four others started to abuse her. At that time, Barkat Ali on the behest of Tajmullah Mian gave farsa blow at the head of informant and other persons assaulted her by means of lathi and danda. When son of the informant came in rescue then he was also assaulted by them. Thereafter, all persons entered into the house of informant and took Rs. 5000/- and ornaments of Rs. 30,000/- after breaking the box of the informant.

Learned counsel for the petitioners submits that, in fact, in course of occurrence, hot talks were exchanged in between the petitioners and informant due to land dispute, but with ulterior motive, the informant lodged the present case with false allegation. Further submission is that the specific allegation of causing injury to the informant is against Barkat Ali. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail



bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 270 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

