

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.653 of 2019

Arising Out of PS. Case No.-94 Year-2018 Thana- PHULWARIA District- Begusarai

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1. Md. Noor Mohammad @ Noor Mohammad, Son of Md. Taslim Marhum,
 2. Md. Mokhtar @ Md. Moktar, Son of Ali Hasan,
 3. Shamsheer Alam, Son of Late Md. Liyaqat.
 4. Md. Alam, Son of Shamsheer Alam,
 5. Md. Pappu, Son of Shamsheer Alam,
 6. Md. Fahim, Son of Md. Maqbool,
 7. Jai Jai Ram Singh, Son of Late Laxmi Singh,
- All R/o Village-Baro, Kadir Chak, P.S.-Phulwaria, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Amrendra Kumar, Adv.

For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 17-01-2019 The petitioners seek bail in anticipation of their arrest in connection with Phulwaria P.S. Case No. 94 of 2018, dated 26.07.2018, instituted for the offences under Sections 147, 149, 323, 307, 341, 504, 506 and 379 of the Indian Penal Code.



It has been alleged by the informant that when an attempt was made to stake claim over the land belonging to him, the same was protested. Irked by the aforesaid protest, the informant and others were assaulted at the hands of the petitioners.

Dr. Amrendra Kumar, the learned Advocate for the petitioners has stated that petitioner Nos. 1 and 7 have purchased the aforesaid plot of land from defendant No. 1 in Partition Suit No. 13 of 2018, whereas the vendors of the informant are the defendants second set in the aforesaid partition suit. The purpose for indicating these facts is to lay stress that there is a competing claim for the same plot of land. In the aforesaid scenario, there are chances of false implication and exaggeration regarding the occurrence. The petitioner Nos. 2, 3, 4 and 5 have got no cases filed against them, whereas the cases lodged against petitioner Nos. 1, 6 and 7 are by the same set of people who are having land dispute with the petitioners.

Considering the aforesaid facts, the petitioners above named, in the event of their arrest or surrender



before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Begusarai in connection with Phulwaria P.S. Case No. 94 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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