

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62031 of 2019

Arising Out of PS. Case No.-352 Year-2018 Thana- MAJHAULIA District- West Champaran

1. CHOKAT ANSARI Son of Late Nakchhed Ansari Resident of Village - Shemra Ghat, Ward No.-1, P.S.- Majhauria, District- West Champaran.
2. Monaf Ansari Son of Late Shah Mohammad Ansari Resident of Village - Shemra Ghat, Ward No.-1, P.S.- Majhauria, District- West Champaran.
3. Zahir Ansari Son of Late Nathuni Ansari Resident of Village - Shemra Ghat, Ward No.-1, P.S.- Majhauria, District- West Champaran.
4. Fulsarif Ansari Son of Late Kuraish Ansari Resident of Village - Shemra Ghat, Ward No.-1, P.S.- Majhauria, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Wasi Ahmad Khan
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

The petitioners apprehend their arrest in connection with Majhauria P.S. Case No. 352 of 2018, registered under Sections 341, 323, 385, 387, 379, 427, 504, 506 and 349 of the Indian Penal Code.

The allegation against the petitioners is that petitioners along with other co-accused persons looted the crop of the informant as well as also cut the Mango and Neem tree situated appertaining to Khata No. 319, Khesra No. 2602, area 12 kathas 10 dhurs.

Learned counsel appearing for the petitioners submits



that both the parties are co-villager and there is land dispute between them it would be evident from the First Information Report itself. Learned counsel referring to Annexure-2 submits that both parties have arrived at amicable settlement and jointly filed compromise application before the learned Court below i.e. C.J.M. Bettiah (West Champaran).

After having heard learned counsel for the parties and taking into consideration the fact that both the parties are co-villager and there is land dispute between them, I am inclined to grant anticipatory bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, abovenamed, in the event of arrest or surrender before the Court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhaulia P.S. Case No. 352 of 2018; subject to the condition as laid down hereinabove and under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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