

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69087 of 2019

Arising Out of PS. Case No.-265 Year-2019 Thana- JOKIHAT District- Araria

1. Md. Mustaque, S/o Allauddin
 2. Md. Tabrez @ Tabrez, S/o Allauddin
 3. Md. Sawood @ Md. Swood Alam, S/o Allauddin
 4. Md. Behbood, S/o Allauddin
 5. Md. Ansar @ Ansar, S/o Mustaque
 6. Md. Mubarak, S/o Mohammad
 7. Md. Saddam @ Md. Saddam Alam, S/o Mohammad
- All are resident of village- Hardar, P.S.- Jokihat, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking anticipatory
bail in connection with Jokihat P.S. Case No.265 of 2019
registered for the offences punishable under Sections 341, 323,
324, 354(B), 379, 452, 384, 504 and 506/34 of the Indian Penal
Code.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in this
case by the informant merely on suspicion without there being



any involvement of the petitioners in the alleged occurrence.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that the alleged occurrence is said to have taken place on 22.06.2019, in respect of which the accused no.1 who is not petitioner before this Court has lodged an FIR being Jokihat P.S. Case No.256 of 2019 and eight days after the alleged date of occurrence the present FIR (Annexure-1) has been lodged as also the submission that admittedly there is a land dispute between the parties which they are fighting in the civil court for last five years and further that the thrust of the allegations are against Md. Mahboob who is not before this Court, let the petitioners in the event of their arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat P.S. Case No.265 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself



available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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