

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72734 of 2019

Arising Out of PS. Case No.-134 Year-2019 Thana- PARIHAR District- Sitamarhi

1. MD. BASIM @ MD. WASIM Son of Md. Samsul Resident of Village - Ramnaika, P.S.- Parihar, Distt - Sitamarhi.
2. Md. Sarfaraj Son of Md. Samsul Resident of Village - Ramnaika, P.S.- Parihar, Distt - Sitamarhi.
3. Md. Goni Son of Md. Anwarul Resident of Village - Ramnaika, P.S.- Parihar, Distt - Sitamarhi.
4. Md. Alauddin @ Alauddin Son of Taslim Resident of Village - Ramnaika, P.S.- Parihar, Distt - Sitamarhi.
5. Md. Bakaulah @ Bakaulah Son of Md. Abbas Resident of Village - Bara, P.S.- Bela, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dinesh Jha, Advocate
for the informant	:	Mr. Virendra Kumar, Advocate
For the Opposite Party/s	:	Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Parihar P.S. Case No. 134/2019 registered under Sections 341, 323, 324, 307, 379, 436, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that altogether eleven persons have been named in the First Information Report, there are general and omnibus allegation



against these petitioners, there is land dispute between the parties, however, petitioners have no criminal antecedent.

Learned A.P.P. for the State 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 altogether eleven persons have been named in the F.I.R. including a dead person and there are general and omnibus allegation against these petitioners, there is no allegation of assault against them and the specific allegation of causing injury on the head of the informant is against one Md. Nasim who is not petitioner in this case and the other allegations are merely superimposition as also that these petitioners are said to be the Gotias and they are fighting on trivial land dispute and the petitioners have no criminal antecedent, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi, in connection with Parihar P.S. Case No. 134/2019, subject to 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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