

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71574 of 2019

Arising Out of PS. Case No.-335 Year-2018 Thana- JOKIHAT District- Araria

1. NAZIM @ NAJIM Son of Md Azim Resident of Village- Danpura Tola Marua, P.S.- Joki Hat District- Araria.
2. Rahim Son of Ajmal Resident of Village- Kumhia, P.S.- Plasi, District- Ararai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nadimul Hasan

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 379, 354B, 384, 447, 504/34 of the Indian Penal Code.

As per FIR on 26.10.2018 at 8.30PM the co-accused Sayra @Bouniya and her son were forcibly constructing house over the land of the father of the informant while the said land has already been sold by them and when the father of the informant raised objection, the petitioners and other co-accused persons named in the F.I.R. started abusing and assaulting and in the meantime the co-accused namely Muzahid, Irshad and Jahid



tore the clothes of the mother of informant due to that she became half naked and also snatched her golden ear ring and all the accused persons assaulted with lathi-danda, fists and slaps to the father and brother of the informant.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case due to enmity out of the land dispute. He submits that the petitioners are the members of the mob. He submits that the specific allegation is of tore the clothes of the mother of the informant against co-accused Muzahid, Irshad and Jahid and not against the petitioners. He submits that similarly situated co-accused have been granted the privilege of bail by the learned court below itself. He further submits that petitioners have no criminal antecedent.

In the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Araria in connection with Joki Hat Police Station Case No. 335 of 2018, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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