

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1459 of 2020

Arising Out of PS. Case No.-52 Year-2019 Thana- ABADPUR District- Katihar

1. Md. Tarique Son of Jariff Resident of Village - Shikarpur, P.S.- Abadpur, Distt - Katihar.
2. Saharul Son of Mannan Resident of Village - Shikarpur, P.S.- Abadpur, Distt - Katihar.
3. Lal Mohammad Son of Md. Patalu Resident of Village - Shikarpur, P.S.- Abadpur, Distt - Katihar.
4. Md. Khalel @ Khalil Son of Late Nunu Resident of Village - Shikarpur, P.S.- Abadpur, Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioners and learned
A.P.P for the State.

The petitioners apprehend their arrest in **Abadpur P.S. Case No. 52 of 2019**, registered for the offence punishable under Sections 341, 323, 325, 307, 354(B), 379, 384, 504, 506 and 34 of the Indian Penal Code.

The informant alleged that all the accused persons including these petitioners came at her house and demanded Rs. 1,00,000/- which is incurred by them for bail. On refusal, all the accused persons assaulted the informant and her family



members in which husband of informant sustained injury on his left leg. Md. Meraj is said to have given knife blow upon the daughter of informant, as a result of which she sustained injury near her left eye.

It is submitted that petitioner has falsely been implicated in this case. So far as, petitioners are concerned there are general and omnibus allegation against them. There is no specific overt act against them. Specific allegation is against Md. Meraj who is said to have assaulted with knife on the daughter of the informant, as a result of which she sustained injury near her left eye. Both the parties are agnates and due to land dispute, the occurrence took place. Petitioners have got clean antecedent.

Considering the facts aforesaid, the petitioners above-named in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Judicial Magistrate Ist Class, Katihar** in connection with **Abadpur P.S. Case No. 52 of 2019**, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure with further conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

