

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16348 of 2020

Arising Out of PS. Case No.-32 Year-2019 Thana- CHANPATIA District- West Champaran

1. SAMIULLAH MIYA Son of Late Musa Miya Resident of Village - Patkhauli, P.S.- Chanpatia, District- West, Champaran
2. Sarfaroj Miya @ Sarfaros Miya Son of Late Musa Miya Resident of Village - Patkhauli, P.S.- Chanpatia, District- West, Champaran
3. Taira Khatoon @ Tahira Khatoon Wife of Harun Miya Resident of Village - Patkhauli, P.S.- Chanpatia, District- West, Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey
For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-10-2020 Heard Mr. Sunil Kumar Pandey, learned counsel for the petitioners and Mr. Md. Sufyan, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners apprehend arrest in connection with Chanpatiya P.S. Case No. 32 of 2019 registered for the offence punishable under Section 341, 323, 354, 379 & 447 of the I.P.C.

The allegation against the petitioners as per the First Information Report is that the informant had purchased 1 Katha of land from her husband but on measurement it was found that some portion of the land was encroached by the side of the petitioners.

Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and both the parties are co-sharers. Learned counsel further submits that no serious injury has been found on the



person of the informant and the petitioners have been implicated in this case due to land dispute.

Having heard learned counsel for the parties and taking into consideration the materials available on record, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bettiah West, Champaran / court concerned in connection with Chanpatiya P.S. Case No. 32 of 2019 , subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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