

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 44220 of 2019

Arising Out of PS. Case No.-143 Year-2019 Thana- JOKIHAT District- Araria

1. Md. Nooruddin @ Nooruddin aged about 65 years (M) Son of Abdul Jabbar
 2. Md. Anwarul @ Anwarul aged about 57 years (M) Son of Abdul Jabbar
 3. Md. Israbul @ Israbul aged about 37 years (M) Son of Abdul Jabbar
- All are residents of Village-Kumhiya, Police Station-Jokihat, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6. 20-02-2020 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in Jokihat P.S.
Case No. 143 of 2019, corresponding to G.R. No. 1285 of 2019,
registered for the offence under Sections 147, 148, 149, 341,
342, 323, 354B, 379, 385, 447, 504 of the Indian Penal Code.

It is submitted on behalf of petitioners that
petitioners have committed no offence and informant wants to
grab the ancestral land of petitioners and as such, the present
false case has been lodged.

Earlier, vide order dated 18-07-2019, interim
protection was granted to the petitioners and supplementary
affidavit, showing that the lands claimed by the informant is
recorded in the name of the father of petitioners, was directed to



be filed. In compliance thereof, petitioners have filed supplementary affidavit and brought on record the copy of *Khatiyan* alongwith *Kaimi Parcha*, vide Annexure 2 to the supplementary affidavit, specific statement has been made that the said land is recorded in the name of their father Abdul Jabbar and land is in physical possession of these petitioners.

In view of aforesaid facts & circumstances, in the event of their arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Jokihat P.S. Case No. 143 of 2019, corresponding to G.R. No. 1285 of 2019, on the following conditions:

“(1) Petitioners shall cooperate 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 on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J.)

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