

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74314 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- BALRAMPUR District- Katihar

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1. MD. AFTAB Son of Farid Resident of Village- Loucha Dulopur, Police Station- Balrampur, District- Katihar.
 2. Md. Farid @ Farid Son of Late Sk. Noor Mohamad @ Tengnu Resident of Village- Loucha Dulopur, Police Station- Balrampur, District- Katihar.
 3. Md. Tarique @ Tarique Son of Sk. Noor Mohamad @ Tengnu Resident of Village- Loucha Dulopur, Police Station- Balrampur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar, Advocate
		Mr. Suman Kumar Jha, Advocate
For the Opposite Party/s :		Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-02-2020 Learned counsel appearing on behalf of the petitioners seeks permission to withdraw the application filed on behalf of the petitioner No.2 **Md. Farid @ Farid**, as he has already been apprehended by the Police.

In view of the above, the application filed on behalf of the petitioner No.2 Md. Farid @ Farid is dismissed as withdrawn.

Heard learned counsel for the petitioner Nos. 1 and 3 and the learned A.P.P. for the State.

The petitioner Nos. 1 and 3 apprehend their arrest in connection with Balrampur P.S. Case no. 89 of 2019,



registered under Sections 341, 323, 379, 307, 354(B), 504 and 506/34 of the Indian Penal Code.

The accusation is that informant Md. Rahmtullah was engaged in centering work for putting roof on 15.06.2019, at that time, 11 persons named in the F.I.R. including the Petitioner No.1 Md. Aftab and Md. Tarique @ Tarique (petitioner No.3) variously armed with weapons came there and started to abuse to the labourers due to fear, informant stopped the work and started waiting for Panchayati. Thereafter, on 04.07.2019 at about 10.00 P.M., while informant and his wife were present in the courtyard, at that time, all the above named persons indulged in abusing regarding the same matter. When informant made protest, then he and his wife were dashed. At that time, Md. Aftab (Petitioner No.1), Md. Farid and Md. Tarique (petitioner No.3) wrapped Gamchha in his neck and tried to push then Shehra Khatoon, wife of informant, made intervention on which Md. Aftab, Budhu @ Afaq and Md. Afsar dashed his wife. At that time, they took cash of Rs. 20,000/- from his pocket and they also snatched gold chain from her neck.

Learned counsel for the petitioners submits that, in fact, hot talk exchanged between the parties due to land



dispute, but with ulterior motive, the petitioner has falsely been implicated in this case by lodging the present case after one months of the occurrence.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Balrampur P.S. Case No. 89 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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