

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81195 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- PHULWARIA District- Begusarai

1. Md. Mustar @ Mustar @ Md. Mustak @ Md. Mister Son of Md. Genaury Miyan @ Kari Miyan Resident of Village - Fulwaria Ganj, Ward No. 09, P.S.- Fulwaria, District- Begusarai
2. Md. Mehtab @ Md. Mahtab @ Md. Mehtab Alam @ Dablu Son of Md. Mustar @ Mustar @ Md. Mustak @ Md. Mister Resident of Village - Fulwaria Ganj, Ward No. 09, P.S.- Fulwaria, District- Begusarai
3. Md. Aftab @ Md. Aaftab Son of Md. Mustar @ Mustar @ Md. Mustak @ Md. Mister Resident of Village - Fulwaria Ganj, Ward No. 09, P.S.- Fulwaria, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr.Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Fulwaria P.S. Case no. 36 of 2019 registered for the offence under sections 323, 341, 327, 504 and 34 of the Indian Penal Code

As per allegation in the FIR, there was dispute with respect to land between the father of the informant and his neighbour who is the petitioner no. 1 herein. It is further stated



that after measurement of the disputed land when the father of the informant proceeded to make some construction on his land, the accused persons abused and assaulted him with lathi, danda, sword etc and caused injury.

It is submitted by learned counsel for the petitioners that from the FIR the admitted fact is of land dispute between the parties and the petitioners have falsely been implicated as a result of the land dispute. It is further submitted that from the injury report of the informant brought on record as Annexure 2 to the application as also the supplementary injury report it would transpire that both the injuries found are simple in nature and no bony injury have been found.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioners on bail. The petitioners above named, in the event of their arrest or surrender in the Court below within a period of six weeks from today in connection with Fulwaria P.S. Case no. 36 of 2019 are directed to be enlarged on bail on each of them furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

Prakash/-

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