

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82308 of 2019

Arising Out of PS. Case No.-785 Year-2019 Thana- ARARIA District- Araria

1. MIR FAKAR @ FAKRUDDIN, aged about 60 years, Male, S/o Late Mir Janno, R/o village- Mahishakol, P.S.- Araria, District- Araria
2. Mir Mosim @ Mohsin, aged about 55 years, Male, S/o Late Mir Janno, R/o village- Mahishakol, P.S.- Araria, District- Araria
3. Mir Muzaffar, aged about 38 years, Male, S/o Mir Fakar @ Fakruddin, R/o village- Mahishakol, P.S.- Araria, District- Araria
4. Mir Nanha, aged about 27 years, Male, S/o Mir Fakar @ Fakruddin, R/o village- Mahishakol, P.S.- Araria, District- Araria ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Rama Nand Poddar, Adv.

For the Opposite Party : Mr. Ansar Ul Haque, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 30-06-2020 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state through video conferencing.

The petitioners seek pre-arrest bail in connection with Araria P.S. Case No. 785 of 2019, registered under Sections 147,149, 341, 323, 379, 354, 435, 506 and 504 of the Indian Penal Code.

The accusation is that at about 03.00 p.m. on 06.09.2019, petitioners, Mir Fakar @ Fakruddin, Mir Mohsin @ Mohsin, Mir Muzaffar and Mir Nanha, along with Mir Sajid, Sheikh Rinku and Kanhaiya Kumar, came at the door of the informant, Rinki Devi, and started to abuse her father-in-law.



When she made protest, then, petitioner no. 1, Mir Fakar @ Fakruddin, ordered to cause assault and put fire, thereafter, all started to cause assault and put fire in the house. At that time, they snatched the gold nose-pin and silver necklace.

Submission is that in fact, due to land dispute the informant had lodged the present case putting the fire in a hut in disputed land. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Araria P.S. Case No. 785 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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