

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36289 of 2020

Arising Out of PS. Case No.-908 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. MD. RAHAMTULLAH @ RAHAMTULLAH SON OF GAFFAR SAH, R/o VILLAGE - RASIDPUR, P.S. KHAJALI, DISTRICT- MADHUBANI.
 2. MD. HAIDAR ALI @ HAIDAR SAH SON OF LATE SABBIR SAH, R/o VILLAGE - RASIDPUR, P.S. KHAJALI, DISTRICT- MADHUBANI.
 3. SAJDAR ALI SON OF MD. HAIDAR ALI @ HAIDAR SAH, R/o VILLAGE - RASIDPUR, P.S. KHAJALI, DISTRICT- MADHUBANI.
 4. MD. NASIM SON OF MOSAM SAH, R/o VILLAGE - RASIDPUR, P.S. KHAJALI, DISTRICT- MADHUBANI.
 5. GAFFAR SAH SON OF LATE MD. SAH, R/o VILLAGE - RASIDPUR, P.S. KHAJALI, DISTRICT- MADHUBANI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. WALID AHAMAD SON OF ABDUL SAKUR, RESIDENT OF VILLAGE - RASIDPUR, P.S. - KHAJALI, DISTRICT- MADHUBANI.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Adv.
For the Opposite Party/s : Ms. Kusum Rani, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-04-2021 Heard both sides through Video Conferencing.

The petitioners apprehend their arrest in C.R. No.908 of 2018 for the offences allegedly committed by the petitioners under Sections 341, 452, 323, 384, 506, 504 and 34 of the Indian Penal Code.

The complainant (a retired B.S.F. personnel) alleged that all the accused persons started construction works on the



land of Mumtaz Ahmad. Mumtaz Ahmad informed the police. The construction work was stopped. The complainant was held responsible for calling for the police. The accused persons tried to kidnap the grand daughter of the complainant and also took away different articles from his house.

Learned counsel for the petitioners submits that on account of land dispute, the petitioners have falsely been implicated in the case. There is enmity with Mumtaz Ahmad and a proceeding under Section 144 of the Cr.P.C is going on between Mumtaz Ahmad and petitioner no.2, namely, Md. Haidar.

Learned counsel for the complainant vehemently opposed the prayer for anticipatory bail.

Having considered the facts and the nature of allegations made against the petitioners and that the fact that there appears a civil dispute between the two sides, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to 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 Judicial



Magistrate, IInd Class, Madhubani in connection with C.R.
No.908 of 2018 corresponding to En.No.39 of 2019, subject to
the conditions as laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Prabhat Kumar Jha, J)

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