

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50306 of 2021

Arising Out of PS. Case No.-120 Year-2020 Thana- ABADPUR District- Katihar

1. Aajit @ Aziz Son of Late Saifuddin Resident of Village - Govindpur, Police Station - Abadpur, District - Katihar.
2. Katika Son of Late Jainuddin Resident of Village - Govindpur, Police Station - Abadpur, District - Katihar.
3. Enamul Son of Late Jainuddin Resident of Village - Govindpur, Police Station - Abadpur, District - Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad
For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-11-2021 Heard both parties through video conferencing.

The petitioners seek bail in Abadpur P.S. Case No. 120 of 2020, registered for the offence punishable under Sections 147, 149, 436, 427 and 504 of the Indian Penal Code.

As per the prosecution case, on 12.11.2020 at about 7.00 pm, all the FIR named accused persons including petitioners abused the informant and on protest, co-accused Aajim ordered all the accused persons to set the house on fire then co-accused Shahnaj, petitioner no.1 and other accused persons set the house of informant on fire by pouring kerosene oil from the container. They also caught Panjenoor brother of



informant and tried to throw him on fire.

It is submitted on behalf of the petitioners that on account of land dispute the alleged occurrence took place. Informant filed one case after another and this is the third case. Moreover, there is delay of two days in lodging of FIR the occurrence took place on 12.11.2020 whereas the FIR was lodged on 14.11.2020 without any plausible explanation. Petitioners are in custody since 24.03.2021.

However counsel for the informant vehemently opposed the prayer for bail and submitted that petitioners are habitual offender and within one month this is the third occurrence committed by the petitioners.

Considering the period of custody and the fact that there is land dispute between the parties, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Katihar in connection with Abadpur P.S. Case No. 120 of 2020.

(Prabhat Kumar Singh, J)

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