

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21047 of 2021

Arising Out of PS. Case No.-165 Year-2020 Thana- KASBA District- Purnia

1. MD. SAHJAD @ MD. SAHABAD @ SAHAJADA Son of Late Md. Kalim Resident of Village- Bhamra, P.S.- Kasba, District- Purnea.
2. Md. Majad @ Md. Mazad @ Md. Mazher Son of Late Md. Kalim Resident of Village- Bhamra, P.S.- Kasba, District- Purnea.
3. Md. Manowar @ Md. Manobbar, Son of Late Md. Kalim Resident of Village- Bhamra, P.S.- Kasba, District- Purnea.
4. Md. Hafiz Son of Md. Islam Resident of Village- Bhamra, P.S.- Kasba, District- Purnea.
5. Md. Tajuddin Son of Md. Islam Resident of Village- Bhamra, P.S.- Kasba, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad, Advocate.
For the Opposite Party/s : Mr. Ajay Kumar No.2

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-01-2022 Heard Mr. Md. Helal Ahmad, learned Advocate for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners seek bail in anticipation of their arrest in connection with Kasba P. S. Case No. 165 of 2020 instituted for the offences under Sections 143, 341, 323, 324, 379, 504 and 506 of the Indian Penal Code.

The petitioners are alleged to have assaulted the members of the prosecution party in connection with a dispute which had arisen on a plot of land over which there are



competing claims of the parties.

The learned counsel for the petitioners has stated that with respect to the occurrence dated 25.11.2020, the complaint was lodged on 02.12.2020 which gave rise to the subject F.I.R. The dispute with respect to the land was under litigation before the DCLR, Purnea.

The learned counsel for the petitioner has further submitted that an attempt has been made by the informant to anyhow dispossess the petitioners from the land which they claim to have purchased and are in possession of. Even the fence and the boundary erected by the petitioners over the disputed land have been damaged by the informant and other associates.

Considering the afore-noted submissions and taking into account the factum of land dispute between the parties and general and omnibus accusation against all the petitioners along with the delay in lodging the F.I.R., the petitioners are directed to be released on bail, 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, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the



satisfaction of the learned CJM, Purnea in connection with
Kasba P.S. Case No. 165 of 2020, subject to the condition as
laid down under Section 438 (2) Cr. P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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