

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52629 of 2021

Arising Out of PS. Case No.-2 Year-2021 Thana- CHANPATIA District- West Champaran

1. Mister Khan Son Of Late Kaimullah Khan Resident Of Village - Kharg Pokhariya, P.S.- Chanpatia, Dist.- West Champaran.
2. Guddu Khan Son Of Saimullah Khan Resident Of Village - Kharg Pokhariya, P.S.- Chanpatia, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr. Dilip Kr. No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-05-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 327, 427, 504, 506, 34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant and they grabbed his land by taking possession over it. It is also alleged in the FIR that all the accused persons came at the door of the informant and damage Scorpio and Bolero by breaking



glass.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case due to land dispute. He submits that petitioners are agnates of the informant and they are in cultivating possession of the land in question. Both parties are close pattidar. He submits that the present case is purely civil in nature regarding share of the land. He submits that the land was purchased by Feku Khan in the year 1929. Feku Khan was the cousin of grand father of petitioner Rahman Khan and also grand father of the Ibrahim Khan. He further submits that petitioner has two criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts that there is land dispute between the parties, the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/successor court in connection with Chanpatia P.S.
Case No. 02 of 2021, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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