

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72609 of 2021

Arising Out of PS. Case No.-41 Year-2021 Thana- CHHATAPUR District- Supaul

1. MD. ALI HUSAIN @ ALI HASAN Son of Md. Sakhawat Resident of Village- Rampur, Ward No. 06, P.S.- Chhatapur, District- Supaul.
2. Md. Harun Son of Late Md. Neyamat Resident of Village- Rampur, Ward No. 06, P.S.- Chhatapur, District- Supaul.
3. Md. Jibrail Son of Md. Israil Resident of Village- Rampur, Ward No. 06, P.S.- Chhatapur, District- Supaul.
4. Md. Tabrej Son of Md. Alam @ Md. Alam Mansuri Resident of Village- Rampur, Ward No. 06, P.S.- Chhatapur, District- Supaul.
5. Md. Badsah Son of Md. Mohammad Resident of Village- Rampur, Ward No. 06, P.S.- Chhatapur, District- Supaul.
6. Md. Bazir Son of Md. Mohammad Resident of Village- Rampur, Ward No. 06, P.S.- Chhatapur, District- Supaul.
7. Md. Nazir Son of Md. Mohammad Resident of Village- Rampur, Ward No. 06, P.S.- Chhatapur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-07-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 147, 148, 323, 379, 436, 504, 506 of the Indian Penal Code.

As per the F.I.R., on 13.02.2021 at about 9:30 AM, due to family dispute, a *panchayati* was going on in front of the house of informant, on the order of co-accused Md. Siraj,



petitioner no. 2 & 3 namely Md. Harun and Md. Jibrail set the house of informant on fire. It is further alleged that accused persons thereafter committed theft of house-hold articles of informant and co-accused Md. Siraj threatened the informant for dire consequence if she lodges a case.

It is submitted on behalf of petitioners that both parties are agnates and due to *pattidari* dispute between the parties, a false case been lodged against petitioners and others. It is further submitted that on the intervention of some villagers, a good sense has prevailed between the parties and now, both parties are living peacefully.

However, learned A.P.P. for the State has opposed the prayer for bail and submitted that there is specific allegation against petitioner no. 2 & 3 of setting the house of informant on fire.

Considering the specific allegation against petitioner no. 2 & 3, their prayer for anticipatory bail is rejected.

So far as prayer for anticipatory bail of petitioner nos. 1, 4, 5, 6 and 7 is concerned, since there is no specific allegation against them, in the event of their arrest/surrender within a period of six weeks from today, they 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 J.M. 1st Class, Supaul / concerned court in connection with Chhatapur P.S. Case No. 41 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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