

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19810 of 2023

Arising Out of PS. Case No.-1025 Year-2022 Thana- ARA NAGAR District- Bhojpur

1. Faiz Alam @ Md. Faiz Alam @ Pappu Son Of Taufique Ahmad Resident Of Village - Dharhara, P.O.- Ara, P.S. - Ara Town, Distt. - Bhojpur
2. Md. Amish @ Md. Danish Nadeem Son Of Md. Atique Ahmad Resident Of Village - Dharhara, P.O.- Ara, P.S. - Ara Town, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar, Adv.
For the Opposite Party/s	:	Mr. Ram Bilash Roy Raman, APP
For the Informant/s	:	Mr. Thakur Brajesh Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-06-2023 Heard Mr. Ravindra Kumar, learned counsel for the petitioners, Mr. Thakur Brajesh Singh, learned counsel for the informant and learned APP for the State.

The petitioners apprehend their arrest in connection with Ara Town P.S. Case No. 1025 of 2022 registered for the offences punishable under Sections 147, 149, 341, 323, 307, 384 and 379 of the Indian Penal Code.

Allegation against the petitioners is demand of ransom of Rs.4 lac and further the petitioner no.1 caught hold the father of the informant and thereupon the other accused persons assaulted him.

Learned counsel for the petitioners submits that the



present case is nothing but a counter blast to the Ara Town P.S. Case No. 1022 of 2022 lodged by the petitioner no.1. He further submits that the alleged occurrence is said to have taken place on 11.12.2022, however, the FIR has been instituted on 13.12.2022, apart from the fact that there is a land dispute between the parties, for which a title suit bearing Title Suit no. 774 of 2021 is pending between the parties. He next submits that the reason behind the said occurrence is the land dispute wherein the informant side was trying to grab the land of the petitioners resulting into filing a petition under Order 39 Rule 1 and 2 read with Section 151 of the Code of Civil Procedure in which the order of injunction has been passed in favour of the petitioners. He lastly submits that the petitioners are men of clean antecedent and they undertake that they will fully cooperate in the investigation and will not indulge in intimidating the witnesses or tampering with the evidence.

On the other hand, learned counsel for the informant vehemently opposes the bail application and submits that specific allegation has been levelled against the petitioner no.1 that he caught hold of the father of the informant and thereupon other co-accused persons assaulted him resulting into serious injuries. He further submits that both the petitioners demanded



rangdari and also tried to grab the land of the informant.

Learned counsel for the State also opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the case and counter case between the parties and the nature of allegation, coupled with the pendency of Title Suit between the parties and the fair antecedent of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Ara Town P.S. Case No. 1025 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Harish Kumar, J)

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