

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71204 of 2024

Arising Out of PS. Case No.-307 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

1. Alauddin @ Kaalo @ Md. Allahuddin S/o Md. Sahebjaan @ Sahevajan Miyan R/o vill - Chak Biggani, P.S. - Sadar Hajipur, Distt. - Vaishali
2. Maantu @ Vajair @ Md. Ojiyak S/o Md. Sahebjaan @ Sahevajan Miyan R/o vill - Chak Biggani, P.S. - Sadar Hajipur, Distt. - Vaishali
3. Md. Sahebjaan @ Sahebjaan Miyan @ Sahevajan Miyan S/o Imamun Miyan R/o vill - Chak Biggani, P.S. - Sadar Hajipur, Distt. - Vaishali
4. Md. Shamalu S/o Md. Sahebjaan @ Sahevajan Miyan R/o vill - Chak Biggani, P.S. - Sadar Hajipur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 12-11-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Hajipur Sadar PS case no. 307 of 2024, disclosing offences punishable under Section 354(B) and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 01.04.2024, the informant's neighbour Allaudin @ Kaalu i.e. petitioner no. 1 stopped her and started abusing and pressurizing her to perform marriage with his



brother Md. Shamalu. When informant refused, the petitioners came in the evening at about 7 pm and entered into the house of the informant, assaulted her and her family members including her sister and outraged the modesty of the informant.

4. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case due to previous land dispute between grandfather of the informant and petitioner no. 3. Petitioner no. 3 is father and petitioners no. 1, 2 and 4 are his sons. Learned counsel further submits that a mere perusal of F.I.R. indicates that both parties are residing as a neighbour and their houses are situated adjacent to each other. He next submits that a title suit bearing T.S. No. 335 of 2002 was lodged by the informant's grandfather against petitioner no. 3. He also submits that petitioners had also lodged a *sanha* bearing *Sanha* No. 1427 of 2024 on 16.04.2024, apprehending that they would be implicated in the false case, due to previous land dispute. Lastly, he submits that there is inordinate delay in lodging the F.I.R., inasmuch as occurrence has taken place on 01.04.2024 and F.I.R. has been lodged on 16.05.2024.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that there is previous land dispute between the parties and both



parties are neighbours, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released 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 learned Sessions Judge, Vaishali at Hajipur in connection with Sadar PS case no. 307 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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