

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40014 of 2015

Arising out of PS.Case No. -132 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

1. Md. Jahir, Son of Md. Yakub, resident of village - Saidpur Ganesh, P.S. Bidupur, P.O. Bidupur, Distt. – Vaishali.
2. Md. Abbas, Son of Vakil, resident of village - Senduari, P.S. Hajipur Sadar, P.O. Senduari, Distt. – Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Anil Kumar Sinha, Advocate.
For the Opposite Party : Mr. S.Dayal(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-10-2015 Heard learned counsel for the petitioners and learned
counsel for the State

The petitioners are languishing in custody since
23.03.2015 in connection with Hajipur Sadar P.S. Case No. 132 of
2015 for the offences instituted under Sections 147, 148, 149, 452,
504, 506, 364, 427, 380, 307, 302, 324 and 326 of the IPC.

The prosecution story, in brief, is that on 21.03.2015 at
about 7.30 P.M., seven Motorcycles on which two to three persons
were boarded on each Motorcycle arrived near the house of the
informant and asked about the location of the house of Sanjiv Kr.
@ Putul. After sometime, they returned back and about 65-70

persons variously armed with Lathi, Danda, Bhala, Sword, Axe, Farsa etc., and about 10 female having bag containing bricks and stone surrounded and started pelting stone. The informant and his son Sanjiv Kr., @ Putul and Kumkum Patel @ Mantun Patel came out at the house and in the light of electricity, identified about 46 persons named in the FIR and amongst ladies Shamina Khatoon, W/O Md. Azaz were identified the accused persons caught hold out of Sanjiv Kr. started assaulting him severely to save him the informant's second son Tuntun Patel came there who was also assaulted by the accused persons brutally and was injured with sharp cutting weapons. The informant went inside his house.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners are in custody since 23.03.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioners. General and Omnibus allegation has been made against the petitioners. No specific injury has been attributed against the petitioners. Altogether 26 persons have been named in the FIR and other 30-40 unknown have been made accused in the FIR. Other accused have been granted bail by this Court vide Cr. Misc. No. 24149/2015.

On behalf of the State it has been submitted that the

petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 the learned C.J.M., Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 132/2015.

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(Sudhir Singh, J)