

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27332 of 2015

Arising out of PS.Case No. -732 Year- 2014 Thana -FORBESGANJ District- ARRARIA

Md. Illiyas @ Illiyas, son of late Sadique, resident of village - Choura Parwaha, Police Station - Forbesganj, District - Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ramesh Kumar Singh, Advocate.

For the Opposite Party : Mr. Sahin Begam(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-09-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Forbesganj P.S. Case No. 732 of 2014 for the offences instituted under Sections 147, 148, 149, 323, 379, 353, 224, 225, 504, 307, 120(B) and 414 of the IPC.

The prosecution story, in brief, is that the informant received information regarding Forbesganj P.S. Case No. 729/2014 dated 18.11.2014, U/S 395 I.P.C., which is occurrence of dacoity in UCO Bank of Manikpur for search and investigation and raid he proceeded alongwith police force on 19.11.2014 at 21 hours. On way, Binod Paswan, Rupesh Kumar Mandal and Chowkidar 4/7 Umesh Paswan met them, thereafter, went to



village-Choura Parwaha at about 21.30 hours and with the help of Chowkidar he raided the house of Md. Ekbal and entered into the room, he found a new mobile Samsung Glaxygrand Mobile. The informant demanded paper regarding mobile, due to this, Md. Ekbal and his father Iliyas made alarming as Chor-Chor due to that the raid was not completed. The villagers near about 100 to 150 gathered there and they were abused and obstructed in discharging the official duty and also assaulted to police force with fists and slaps and Lathi. Due to that police force became injured. Further he stated that Md. Ekbal, Md. Iliyas alongwith other 17 named accused persons were participated in the occurrence. During that period of Md. Ekbal fled away. The accused persons looted the Mobile, Torch, cash of Rs. 1700/- of the police party.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that altogether 19 people have been named in the F.I.R. The petitioner is said to have been named in the F.I.R. due to mistake of fact. There is no injury attributed against the petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let

the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Forbesganj P.S. Case No. 732 of 2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)