

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39455 of 2015

Arising out of PS.Case No. -133 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD

1. Azad Quraishi, son of Mahfuj Quraishi.
2. Chandu Quraishi, son of Yusuf Quraishi. All residents of village/mohalla - Pirahibag, Police Station - Daudnagar, District - Aurangabad.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioners : Mr. Anil Kumar, Advocate.

For the Opposite Party : Mr. Ram Sumiran Rai(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-09-2015 Heard learned counsel for the petitioners and learned
counsel for the State

The petitioners are apprehending their arrest in connection with Daudnagar P.S. Case No. 133 of 2015 for the offences instituted under Sections 147, 148, 149, 323, 324, 325, 337, 338, 307, 427, 504, 506 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 17.05.2015 at 4.45 P.M., Md. Teju was carrying his three buffaloes and one he-calf by magic vehicle and near Bhagwan Bigha 40-50 persons restrained him and on the allegation of theft, they assaulted Teju. On this information, the informant alongwith police persons reached there. In the meantime, the family members and other



villagers of Md. Teju, 100 in number after forming an unlawful assembly armed with weapon reached near Daudnagar Hospital and started forcefully closing the shops of other community. The shop keepers opposed for that and other persons also gathered there and in between both sets of society the bricks, stones, lathi, danda, bullet were throwing on each other. On this information, the police officials reached there and saw that there were 500 persons of each side and they attempted to pacify the matter and in that occurrence 21 persons named in the F.I.R. were identified from one side and seven persons named in the F.I.R. were identified from another side and the petitioners are out of them and in that occurrence Saddam Quraishi, Ibrahim Quraishi, Azad Quraishi, Bilas Singh, Birendra Yadav, Bhola Yadav and Ajay Kumar became injured. So, from perusal of the F.I.R., it appears that from both sides mar-pit took place for simple reason and several persons of other side became injured.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. It is a case and counter-case. No person is alleged to have been injured in course of occurrence as to when counter case is annexure-2 to the preset application and it would appear that the from the informant's side as many as five persons have been injured and

one person has died in course of occurrence.

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 in the event of their arrest or surrender before the learned court below within a period of four weeks from today in connection with Daudnagar P.S. Case No. 133/2015 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 S.D.J.M., Daudnagar, Aurangabad, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)