

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26521 of 2015

Arising Out of PS.Case No. -268 Year- 2014 Thana -PUPRI District- SITAMARHI

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1. Md. Guljar, son of Mutuful Sheikh
2. Md. Shiraj @ Md. Saddam, Son of Shuaib Sheikh @ Md. Shuaib,
Resident of Village - Bacharpur, P.S. - Pupri, District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Ashhar Mustafa, Advocate
For the State : Mr. Ram Shankar Das(Spl.APP)
For the informant : Mr. Chandan Kumar Kashyap, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-07-2015 Heard learned counsel for the petitioners and learned

A.P.P. for the State as well as the learned counsel for the

informant.

The petitioners are in custody in a case registered
under Sections 147, 148, 149, 341, 323, 307, 504, 506 and 302
of the Indian Penal Code and Sections 3(i)(x) and 3(2)(v) of the
S.C./S.T.(Prevention of Atrocities) Act.

The prosecution case, in brief, is that on 13.11.2014 at
9 P.M. procession of Md. Shamim, newly elected PACCS
Chairman, was proceeding and at Kewalpur Chowk, the father
of the informant associated himself in the aforesaid procession
and started singing. It is alleged that the petitioners and other



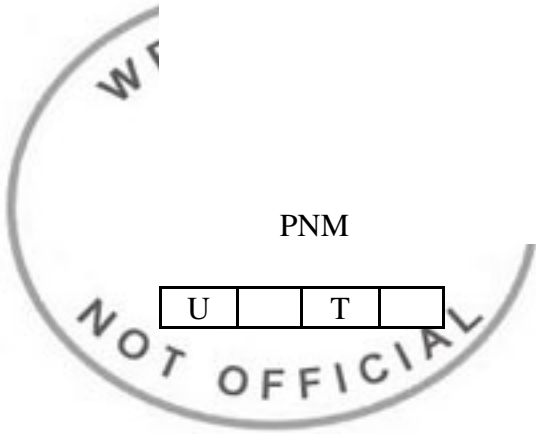
accused persons assaulted the father of the informant with lathi, Bhala, Farsa, iron rod, slaps etc. and started speaking that how 'Chamar' had entered into the procession of Muslims and why he is dancing. As a result of assault, the father of the informant became seriously injured and blood started oozing out of his mouth and nose. When the informant learnt about the incident and came to the place of occurrence to lift his father, then all the accused persons abused the informant also by calling his caste name and also assaulted the informant. The father of the informant died during the course of treatment in P.M.C.H.

On behalf of the petitioners, it is submitted that the petitioners are in custody since 28.4.2015 and charge sheet has been submitted in the case. It is further submitted that the petitioners have no criminal antecedents. From perusal of the post-mortem report it appears that the deceased died due to septicaemia.

On behalf of the State and the informant, it is 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 bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief

Judicial Magistrate, Sitamarhi, in connection with Pupri P.S.
Case No.268 of 2014.



(Sudhir Singh, J)