

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2184 of 2016

Arising Out of PS.Case No. -282 Year- 2015 Thana -MEERGANJ District- GOPALGANJ

- =====
1. Rustam Quaraisi @ Kureshi @ Tarjan Son of Late Yasin Quaraisi,
 2. Meraj Quaraisi @ Kureshi, Son of Late Ysain Quaraisi, Both resident of village - Balua, Tola, P.S. - Mirganj, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra

For the Opposite Party/s : Mr. Ram Shankar Das(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 17-03-2016 Heard the learned counsel for the petitioners as well as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under sections 143, 323, 341, 448, 302 and 504 of the I.P.C and section 3 (x) (2) (v) of the SC/ST Act.

Allegedly, the petitioners and other co-accused after entering into the house of the informant started assaulting him and further they assaulted the mother, wife and Bhabhi of the informant. Co-accused Soharab Quraishi assaulted Saloni Kumari, 2 ½ months old daughter of the informant, resulting she became unconscious and died.

Submission is of false implication and that the

petitioners have not committed any overtact, there is general and omnibus allegation, specific allegation is against co-accused Soharab Quraishi and as such the petitioners who are suffering in custody since 28.09.2015 deserve sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering that the specific allegation is against co-accused Soharab Quraishi for assaulting Saloni Kumari and as such the petitioners are directed to 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 C.J.M. Gopalganj in Mirganj P.S. Case No. 282 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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