

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22818 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -POTHIYA District- KISANGANJ

- =====
1. Tasiruddin, S/o Late Sirajuddin
 2. Sablu, S/o Late Nafiluddin
 3. Mahmooda Begum, W/o Jabbar
 4. Saira Bano, W/o Tasiruddin
 5. Sakhawat @ Sekhawat @ Sakhawat Ali, S/o Late Sirajuddin
 6. Zulekha @ Zulekha Khatoon, W/o Sakhawat, residents of village-
Udgara Singhari, Gobindpur, P.S.- Pothia, District- Kishanganj
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Md. Ansural Haque(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 20-05-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 307, 120B, 186, 189, 353, 333, 504, 506 of the Indian Penal Code.

The prosecution case is that the police went to arrest petitioner no. 2 Sablu and others in connection with Pothia P.S. Case No. 27 of 2016, but when the police reached the house of Sablu he started fleeing away, when the police chased then the petitioners along with 30-35 persons abused and assaulted the police force.

It is submitted by the learned counsel for the



petitioners that the injury reports of the police force suggest that recovered only swelling and pain of marginal size, simple in nature. The accusation is against the mob. Statement has been made in para-3 of the petition that petitioner nos. 2 to 6 have no criminal antecedent. It is further submitted that petitioner no. 2 Sablu was being brutally assaulted by the police, for which a case has been lodged.

Though, petitioner no. 1 namely Tasiruddin is accused in two other cases but on bail and thrust of accusation is against petitioner no. 2 Sablu, let the learned court below consider the prayer for regular bail of the petitioner no. 1 namely Tasiruddin and petitioner no. 2 Sablu, if they surrender before the learned court below within a period of six weeks from today in connection with Pothia P.S. Case No. 28 of 2016, pending in the court of learned Chief Judicial Magistrate, Kishanganj.

It is expected that learned court below will dispose of the application for regular bail of petitioner no. 1 namely Tasiruddin preferably on the same day.

Considering the accusation against mob, let the above named petitioner nos. 3 to 6 be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand)

each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Pothia P.S. Case No. 28 of 2016, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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