

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28475 of 2016

Arising out of PS. Case No. -55 Year- 2016 Thana -Hasanpur District- Samastipur

- =====
1. Md. Babar, son of Md. Shahjada
 2. Md. Shubhan, son of Iltaf Hussain
 3. Md. Dilhat @ Md. Dildar, son of Iltaf Hussain
 4. Md. Shahjada, son of Iltaf Hussain
 5. Md. Noman Alam, son of Late Gulam Rasul
 6. Sajda Khatoon @ Sajda Begum, wife of Late Gulam Rasul
 7. Teto @ Tetati Khatoon, wife of Iltaf Hussain
 8. Md. Altaf @ Md. Altad Hussain, son of Late Hazi Moziuddin
 9. Md. Ashraf, son of Md. Shamim All residents of Village Sapri, P.S. Hassanpur, District Samsatipur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance:

For the Petitioner/s : Mr. Rama Kant Sharma, senior adv. with
Mr. L.K. Sharma, adv.
For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-07-2016 Heard learned counsel for the petitioners and

learned counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Hassanpur P.S. Case No.55 of 2016,
registered for the offence punishable under Sections 147, 148,
149, 452, 341, 342, 323, 325, 353, 354, 332, 307, 380, 427 and
504 of the Indian Penal Code and under Section 3(i)(x) of the
S.C. /S.T. (Prevention of Atrocities) Act.

As per the FIR, there was a tension in the village

two Chowkidars were deputed there. On the fateful day, a group of persons named in the FIR came to the house of one Md. Badud and started damaging the tractor with Lathi and sword and tried to break the door. When the police party came and tried to intervene in the matter, they did not allow the police to perform the duty.

Learned counsel for the petitioners submits that it was a mob on account of the murder of Ex-Mukhiya. He has drawn the attention of the Court to another F.I.R. vide Hassanpur P.S. Case No. 53 of 2015.

Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioners, except petitioner Nos. 6 and 6 as they are ladies. Let the above named petitioner Nos. 6 and 7 in the event of their arrest within a period of three week from today be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rosera at Samastipur in connection with Hassanpur P.S. Case No.55 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure Code.

So far as the bail application of other petitioners is

concerned, the same is rejected. If they surrender before the Court below within a period of three weeks from today and pray for bail, the Court below will pass appropriate order on the same day considering the facts and circumstances of the case and without being influenced by this order.

(Shivaji Pandey, J)

pawan/-

U			
---	--	--	--