

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23116 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -KURSAKANTA District- ARRARIA

Mustaque Ali Son of Md. Hanif Resident of Village- Dahuwabari, PS
Kursakanta, District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Nawalkishore Pd(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 23-05-2016

Heard learned counsels for the petitioner
and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 147,
148, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal
Code.

The prosecution case is that on 24.04.2016
while the informant was returning home at about 8.30 P.M. the
petitioner being the Ex-Mukhiya along with 100 people started
slogan against the candidate of the informant in the ensuing
Panchayat Election. It is alleged that the accused persons

surrounded the informant when co-accused Sonu the son of the petitioner inflicted iron rod blow on the head of the informant causing injury who fell on the ground. Co-accused Monu, Ebu @ Abrar, Kalam and Israr assaulted Md. Imran @ Guddu. Co-accused Sakrulla, Niyaz, Jahid and Babul took away wrist watch, gold chain and cash of rupees fifteen thousand from Guddu. Further co-accused Md. Kamrul, Fekna, Rabban, Bechan, Jamil, Naushad and 60-70 unknown with intent to kill the informant and started assaulting with lathi, danda and iron rod and on the order of the petitioner, co-accused Sanif, Wasim, Amrul, Esrajul, Doma and Jabbar forcibly obtained L.T.I. of Moid and Yunus on plain paper.

It is submitted by learned counsel for the petitioner that in the background of political rivalry the present accusation has been levelled and there is no specific accusation of assault against the petitioner.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial

Magistrate-2, Araria in connection with Kursakanta P.S. Case
No. 46 of 2016, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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