

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34346 of 2016

Arising Out of PS.Case No. -40 Year- 2016 Thana -KARJAIN District- SUPAUL

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1. Md. Mojibur Rahman @ Md. Mujibur Rahman, Son of Late Hazi Idris
 2. Md. Yunus, Son of Late Hazi Idris
 3. Md. Rahees, Son of Late Hazi Idris
 4. Md. Moharali, Son of Late Md. Entaz
 5. Md. Atabul, Son of Late Md. Entaz
 6. Md. Abbas, Son of Late Md. Entaz
 7. Md. Abukar @ Md. Abbu Baker, Son of Yusuf
 8. Md. Saneef, Son of Late Md. Dukha
 9. Md. Subhan @ Subhan, Son of Md. Taneef
 10. Md. Haneef, Son of Late Md. Dukha
 11. Md. Mustaque, Son of Md. Haneef
 12. Md. Mustafa, Son of Md. Haneef
 13. Md. Jall Mahammad, Son of Md. Maujee
 14. Md. Sultan @ Nunu, Son of Late Md. Jalil
 15. Md. Jaheer, Son of Md. Jal Mohammad
 16. Md. Kalam, Son of Md. Nur Mahmad
 17. Md. Murtuza, Son of Md. Nur Mahmad
 18. Md. Sakur, Son of Late Md. Raheem
 19. Md. Hazrat, Son of Md. Sakur
 20. Md. Akbar, Son of Md. Sakur
 21. Md. Mustafa @ Md. Mustufa, Son of Md. Usman
 22. Md. Mukesh, Son of Md. Mustafa
 23. Md. Rafeed, Son of Late Md. Usman
 24. Md. Phul Mohammad, Son of Late Md. Usman
 25. Md. Asuddin, Son of Late Md. Purl Mohammad
 26. Md. Noor Hasan, Son of Late Md. Purl Mohammad
 27. Md. Gulzar, Son of Late Md. Mahabali
 28. Md. Ishaque, Son of Late Md. Mahabali
 29. Md. Jainul, Son of Late Md. Siyat
 30. Md. Ibrahim, Son of Late Md. Bhojha
 31. Md. Gyas Uddin, Son of Md. Ibrahim
 32. Md. Rafeed, Son of Md. Sunny
 33. Md. Mintullah, Son of Md. Rafeed
 34. Md. Firoz, Son of Md. Muslim
 35. Md. Salamat, Son of Md. Mukhim
 36. Md. Mannan, Son of Md. Sakur
 37. Md. Yakub, Son of Md. Salar
 38. Md. Rasuli, Son of Gulam Mian
 39. Md. Israil, Son of Md. Bachcho
 40. Md. Israfeel, Son of Md. Rasuli
 41. Md. Jiwrail, Son of Md. Rasuli
 42. Md. Bachcho, Son of Gulam Mian
 43. Md. Sultan @ Sultan, Son of Late Saheek
 44. Md. Sajjad, Son of Late Lelhay
 45. Md. Wasir, Son of Late Saturi
 46. Md. Iliyas, Son of Late Rahman
 47. Md. Abbas, Son of Late Rahman

48. Md. Yaseen, Son of Md. Wasir
49. Md. Nazeer @ Khush Khush, Son of Md. Kasim
50. Md. Mustaqe, Son of Md. Raheesh
51. Md. Wasir, Son of Musay Mian
52. Md. Wasi, Son of Musay Mian
53. Md. Rahamtullah, Son of Md. Rustam
54. Md. Kasim, Son of Late Tetar Mian
55. Md. Ekramul, Son of Sahadat Mian
56. Md. Karmul, Son of Md. Muslim
57. Md. Waseel, Son of Md. Wasir
All are resident of village - Harichakla (Gospur), P.S. Karjain, District -
Supaul

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pramod Mishra,
Mr. Vijay Kumar Mukul, Advocates
For the State : Mr. (Dr.) Ajeet Kumar, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 15-09-2016 I have heard learned counsel for the petitioners and the

State.

Learned counsel for the petitioners seeks leave to
withdraw this application so far it concerns the petitioner nos.4,
16, 31 and 33 to surrender and seek regular bail.

Accordingly, this application stands dismissed as
withdrawn so far the petitioner no.4, 16, 31 and 33 are concerned.

However, it is further made clear that if the petitioner
nos. 4, 16, 31 and 33 surrender and seek regular bail then the
court below would consider their applications on its own merit

and in accordance with law without being prejudiced by the present order.

The remaining petitioners apprehend their arrest in a case registered for offences punishable under Sections 147, 148, 149, 452, 341, 323, 324, 307, 379, 380, 427, 354A, 120B, 504 and 506 of the Indian Penal Code.

So far other petitioners are concerned, it is urged that there is general and omnibus allegation against about 52 named and 200 unknown persons. So far allegation against Md. Mannan, Md. Bashir and Md. Sultan is concerned, it is submitted that the same has been made only to give graver picture to the allegation. It is further contended that petitioners are having clean antecedent and they are not involved in any case except Karjain P.S. Case No.39 of 2016 which was also lodged by the police officials for the same occurrence in which the petitioners have already been granted anticipatory bail.

Having regard to the facts and circumstances of the case, let the petitioner nos.1 to 3, 5 to 15, 17 to 30, 32 and 34 to 57 be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Karjain P.S. Case No. 40/2016, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each

to the satisfaction of Sri A. K. Pandey, Judicial Magistrate, Birpur,
District, Supaul subject to the conditions as laid down under sub-
section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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