

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27441 of 2016

Arising out of PS.Case No. -25 Year- 2016 Thana -DERNI District- SARAN

- =====
1. Munna Mian @ Kadme Rasul, Son of Shakur Miyan.
 2. Shakur Mian.
 3. Muslim Mian. Both sons of Sultan Mian.
 4. Gulam Rasul, son of Rozaddin Ansari.
 5. Md. Rafiuddin @ Rafiuddin, son of Sadakat Hussain. All are residents of Village- Fursatpur, Police Station- Derni, District- Saran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Sunil Prasad Singh, Advocate.
For the Opposite Party : Mr. Manish Kumar 2, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Derni P.S. Case No. 25 of 2016 for the offences instituted under Sections 147, 148, 149, 341, 323, 332, 353, 307, 153(A), 295(A), 505, 290 and 120(B) of the IPC.

The prosecution story, in brief, is that on 05.03.2016 at about 1.20 P.M. when the procession of *Jalbhari* was passing by the mosque of village *Fursatpur*, the *Nawaj* was going on in the mosque. The mob from both sides started quarrelling with one and other in which the mob committed the offence of assault and pelted brick-bats damaging the shops etc. The irate mob also

reached the P.S. and pelted brick bats and thereby damaged the shops and *Gumtis*.

It has been submitted on behalf of the petitioners that relating to same occurrence, two cases were instituted. One by the petitioners' side and other by other community where the petitioners were made accused. The alleged incident is said to have taken place at the instance of some un-social elements. From perusal of the impugned order, it is evident that both communities have settled the issues and they are living peacefully.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R. but it is a fact that both the parties are living peacefully.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Derni P.S. Case No. 25/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VII, Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)