

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2862 of 2017

Arising Out of PS.Case No. -144 Year- 2014 Thana -PALASI District- ARRARIA

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1. Md. Meraj Alam, Son of Late Gayasuddin.
 2. Md. Mahboob @ Md. Mahboob Alam, Son of Late Gayasuddin.
 3. Aikram @ Akram, Son of Late Jalil.
 4. Farooque, Son of Late Ishaque.
 5. Aziz, Son of Maswood Alam
 6. Shahbaz, Son of Maswood Alam
 7. Jalal, Son of Late Riyaz.
 8. Jamshed @ jamshed Alam, Son of Ishaque
 9. Subhan @ Subahan @ Subahab, Son of Late Jalil
 10. Israbul, Son of Late Ulfan, All Resident of Village- Rupel Madhel, P.S.- Palasi, District-Araria.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Md. Naushad Uzzoha, Advocate
For the Opposite Party : Mr. Iftekhar Mahmood (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Palasi P.S. Case No. 144 of 2014, registered for the offences punishable under Sections 147, 149, 341, 353, 323, 504, 379, 506 of the Indian Penal Code but cognizance has been taken under Section 341, 353/34 of the Indian Penal Code.

Allegedly, the petitioners and other co-accused entered into the office of the informant picked up register, damaged the *daraj* of the table and took out of the papers and cash of Rs. 40,000/- which was kept for payment of labourers and



further assaulted the informant. The officers who have come from block tried to intervene into the matter but Meraj Alam and his men were in attacking mood and after damaging and committing loot they fled away after causing threats.

Submission is of false implication and that there is no specific allegation against the petitioners. 2 to 10, no torn paper have been produced or recovered from the place of occurrence and, as such, the petitioners deserve sympathetic consideration, to which the learned A.P.P seriously opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioners, I am not inclined to grant privilege of pre-arrest to them and accordingly their such prayer stands rejected in connection with Palasi P.S. Case No. 144 of 2014, pending in the Court of learned Sub-Divisional Judicial Magistrate, Araria.

However, in case and if so advised the petitioners surrender and seek regular bail then their prayer for regular bail shall be considered on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J.)

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