

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50257 of 2018

Arising Out of PS. Case No.-181 Year-2018 Thana- DARIYAPUR District- Saran

-
1. Ghulam Mustafa, S/o Late Eid Mohammad.
 2. Shaukat Ali.
 3. Shahabuddin @ Md. Shahabuddin.
 4. Sarfuddin @ Saifuddin.
 - Sl. 2 to 4 are Sons Late Abdul Sattar.
 5. Ashraf Ali, S/o Late Nabi Hassan.
 6. Md. Nazre Alam, S/o Late Md. Noor Hassan.
 7. Md. Yusuf, S/o Late Wakil.
 8. Chand Alam, S/o Nazre Alam.
 9. Md. Nayeem, S/o Late Zainuddin.
 10. Nainuddin @ Md. Nainuddin, S/o Late Sabdul Mian.
 11. Salauddin @ Md. Salauddin, S/o Late Abdul Ghaffar.
- All R/o Vill.- Sarnarayan, P.S.- Dariyapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Najmul Hoda, Advocate.
For the Opposite Party/s : Mr. Md. Sufiyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Dariyapur P.S. Case No.181 of 2018 registered under Sections 147, 148, 149, 341, 323, 307, 354, 504 and 506 of the Indian Penal Code.

The accusation is that on 15.06.2018 at about 05.50 P.M., the informant had gone to Mosque for offering prayer, where the money was being collected for construction of the



Mosque. Thereafter, when the members of the Committee of the informant tried to put the money in the donation box, the accused persons threw the money and refused to take their money. When the informant put a question to refuse to take the money, then Md. Mustaqueem gave a knife blow at his face causing blood oozing injury at his left eye. Thereafter, 25 persons, named in the F.I.R, including the petitioners started to cause assault to the informant and others.

Learned counsel for the petitioners submits that, in fact, due to some dispute regarding the management of Mosque, the occurrence of “Maar-Peet” took place in between the parties in which the petitioners’ side also sustained injury regarding which on the basis of the fardbeyan of the petitioner no.1, Dariyapur P.S. Case No.179 of 2018 was also instituted against the informant and others on 15.06.2018 under Sections 147, 148, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code but, later on, only to put undue pressure upon the petitioners, the informant has lodged this false case. Moreover, the parties have settled their dispute and the informant has also filed a compromise petition before the learned Additional Sessions Judge, Saran, Chapra, at the time of disposal of A.B.P. No.2396 of 2018.



Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-IV, Saran at Chapra, in connection with Dariyapur P.S. Case No.181 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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

