

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30123 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- BARHARIA District- Siwan

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1. Amirullah Saifi, Son of Ali Akhtar @ Ali Akhtar Saifi, Resident of Village- Padrauna, P.S.- Barharia, District- Siwan.
 2. Aniullah Saifi @ Ainullah Saifi, Son of Ali Akhtar @ Ali Akhtar Saifi, Resident of Village- Padrauna, P.S.- Barharia, District- Siwan.
 3. Imtiyaz Ahmad, Son of Ali Akhtar Khan, Resident of Village- Murgiya Tola, Via- Barhariya, P.S.- Barhariya, District- Siwan.
 4. Kamran Saifi, Son of Late Moinuddin Saifi, Resident of Village- Padrauna, P.S.- Barharia, District- Siwan.
 5. Israil Hussain, Son of Md. Ali, Resident of Village- Gaushi Hatta, P.S.- Barharia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-05-2018 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Barhariya P.S. Case No. 70 of 2018, registered for the offence punishable under Sections 147, 149, 341, 342, 323, 307, 352, 353, 332, 333, 379, 504 and 120(B) of the Indian Penal Code.

The prosecution case, as lodged by the informant Block Development Officer, Barhariya Block, is that a meeting was called by the Pramukh and when he went to attend the meeting, the brother-in-law of Pramukh Amirullah Saifi assaulted him with iron chair along with Israil Hussain,



husband of Pramukh Enullah Saifi and Imteyaz Ahmad. It is alleged that the petitioners along with other co-accused also assaulted the informant.

The learned Senior Counsel for the petitioners submits that the petitioners are innocent. It is further submitted by the learned Senior Counsel for the petitioners that the allegation levelled against the petitioners is not supported by the medical evidence. It is further submitted that similarly situated co-accused persons have already been granted bail by this Court by orders dated 26.04.2018, 11.05.2018 and 17.05.2018 passed in Criminal Miscellaneous Nos. 24240 of 2018, 28563 of 2018 and 28306 of 2018.

The learned counsel for the informant has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case and also the fact that similarly situated co-accused persons have been allowed bail by this Court, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Siwan in connection



with Barharia P.S. Case No. 70 of 2018.

(Mohit Kumar Shah, J)

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