

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20998 of 2018

Arising Out of PS. Case No.-41 Year-2016 Thana- BABUBARHI District- Madhubani

1. Md. Kasif @ Md. Kasif Reja son of Md. Usman
2. Md. Faizul Hassan @ Md. Faijul Hussain @ Rajlur Rahman @ Fajlurar Rahmanson of Md. Sakir
3. Md. Manjar Alam @ Md. Manjar Hussain son of Md. Sakir
4. Md. Usman @ Md. Usman Ansari Son of Noor Mohammad
5. Md. Wasi Ahmad Son of Safir Mohammad
6. Md. Firoj @ Md. Firoj Jauhari @ Md. Firoj Jauhar son of Late Khurshid Alam
7. Md. Arif @ Md. Arif Hussain son of Md. Muslim
8. Md. Parvej @ Md. Parvej Alam son of Md. Firoj @ Md. Firoj Jauhari
9. Md. Hassim @ Md. Hassim Majahari Son of Sagir Momin @ Samir Momin R/o Village - Chhaurahi, P.S. - Babubarhi, District - Madhubani.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Jitendra Kumar 'Bharti', Advocate
For the Opposite Party : Mr. Arun Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Babubahi P.S. Case No. 41 of 2016, registered for the offences punishable under Sections 147, 148, 149, 452, 380, 384, 323, 341 of the Indian Penal Code.

Allegedly, in presence of rest petitioners, the petitioner no.2 said the informant to pay Rs. 20,000/- from Fakir



Society and Rs. 10,000/- personally by way of donation to purchase illegal arms so that Muslim community be protected from Hindu community, to which the informant refused and then they assaulted him with fist and slap, caused threats to kill him pointed by pistol, resulting, the informant paid Rs. 10,000/- and further they demanded Rs. 20,000/- within two days and petitioner no. 9 took away blanket and petitioner no. 8 took away woolen shawl.

Submission is of false implication and that the petitioners and the informant are of the same community, due to some differences the case has been lodged. Now, good sense has prevailed between the parties and compromise petition has already been filed in the court below with a petition seeking permission to compromise the case vide Annexure-2 and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that now the informant has compromised the case.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to



the satisfaction of learned A.C.J.M.-II, Madhubani, in connection with Babubauhi P.S. Case No. 41 of 2016 , subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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