

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 16472 of 2018

Arising Out of PS.Case No. -71 Year- 2017 Thana -TARABARI District- ARRARIA

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1. Wazul, S/o Mainuddin,
2. Razi, S/o Salahuddin @ Solahuddin,
3. Abdul @ Ataur Rahman @ Ataur, S/o Wasique @ Wasique Rahman, All
are residents of Village- Jhamta, P.S.- Tarabari, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

WITH
Criminal Miscellaneous No 22109 of 2018

Arising Out of PS.Case No. -71 Year- 2017 Thana -TARABARI District- ARRARIA

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1. Salaudin @ Solahuddin @ Salauddin, S/o- Late Zahir,
2. Nurul, S/o- Moinuddin, Residents of Village- Jhamta, P.S.- Tarabari,
District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Vikramdeo Singh, Nafisuzzoha &
Md Naushaduzzoha, Advocates

For the S t a t e : Dr Indiar Kumari &
Mr Pankaj Sinha, APPs

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 27-04-2018 Heard learned counsel for the petitioners and the
learned APPs for the State.

Petitioners seek bail in a case registered under
Sections 302/34 of Indian Penal Code.

It is submitted on behalf of the petitioners that at



best, petitioners were members of the mob of 18 named and many other unknown accused persons. There is general and omnibus allegation against all the accused persons.

Learned counsel for the informant has submitted that in the investigation, some people have deposed from which it appears that there is specific allegation of assault upon petitioner No 1 of Cr Misc No 16472 of 2018 and petitioner No 2 of Cr Misc No 22109 of 2018.

Be that as it may, since the investigation is complete, charge sheet has been submitted, petitioners are at best members of the mob and are having clean antecedent, this Court considers it appropriate to allow the petitioners' prayer for bail having regard to the fact that they have remained in custody since 03.01.2018. Let the petitioners above named be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria in Tarabari Police Station Case No 71 of 2017 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address



of the petitioners.

(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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