

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42397 of 2018

Arising Out of PS.Case No. -163 Year- 2018 Thana -BAKHTIARPUR District- SAHARSA

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1. Md. Sabbo @ Md. Shabbir @ Sabbir, S/o late Md. Sharif @ Sharifuddin,
2. Md. Safir @ Md. Shabbir @ Sabbir S/o Md. Kalim @ Md. Kale, Both
are R/o Sitanabad Balu Tola, Ward No. 8, P.S.- Bakhtiyarpur, District-
Saharsa. Petitioners.

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh

For the Opposite Party/s : Mr. Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

04 02-08-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in a case registered for the offence punishable under Sections 152 (A), 341, 323, 325, 504 and 506/34 of the Indian Penal Code and Section 37 (c) of the Bihar Prohibition and Excise Act, 2016.

Petitioners are said to have intruded into a temple in inebriated condition and assaulted the persons chanting hymn in the temple by means of fists and bamboo making three of them injured and tried to spoil communal harmony.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged took place. Petitioners happen to be teetotaler and never consumed liquor. The allegation levelled against the petitioners is not specific rather general and omnibus in



nature. The injury sustained by the victims are simple in nature barring one injury of Ramsundar Kumar. Regarding the nature of said injury opinion is reserved but the said injury is on his left elbow. They have been falsely implicated in this case due to dirty village politics. They have no criminal antecedent and have been languishing in custody since 25.04.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Saharsa in connection with Special Case No.213 of 2018, arising out of Bakhtiyarpur P.S. Case No.163 of 2018.

(Prakash Chandra Jaiswal, J)

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