

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45616 of 2018

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1. Syed Ameer Hussain @ Chintu @ Ameer Hussain, Son of Syed Nasir Hussain.
 2. Rishi @ Rashi @ Manzar Hasan, Son of Late Md. Ali.
 3. Farhan Hussain @ Taj Hussain, Son of Aggan Hussain,
 4. Guddu @ Syed Alamdar Hussain, Son of Late Gulam Abbas
 5. Tabu @ Aftab Hussain, Son of Late Ahmad Hussain.
 6. Aarzu Hussain @ Syed Azam Hussain, Son of Late Syed Anwar Hussain,
 7. Inayat Hussain, Son of Late Ahmad Hussain,
 8. Syed Babar Hussain, Son of Late Syed Zaheer Hussain.
 9. Ali Amir @ Syed Ali Amir, Son of Late Munnu Mian @ Late Ali Nazir.
 10. Syed Azad Ali @ Azad Ali, Son of Late Md. Shafi Mian.
 11. Syed Manzoor Hussain @ Manzoor Hasan, Son of Late Nabi Hasan,
 12. Md. Shafi Hasan, Son of Late Nabi Hasan.
 13. Nausha @ Murtaza Hasan, Son of Late Noor Hasan.
 14. Zahid Hussain, Son of Nisar Hussain,
 15. Asif Hussain Diamond @ Syed Asif Hussain, Son of Late Syed Jamal Hussain.
 16. Syed Azad Zahir Mini @ Syed Ali Kazim, Son of Late Syed Zahir Hussain.
 17. Misam Zahir @ Syed Misam Zahir, Son of Late Syed Zahir Hussain.
 18. Aulad Ali, Son of Late Ali Haider. petitioner Nos. 1 to 18 are resident of Mohalla Kamra, P.S.- Town, District- Muzaffarpur.
 19. Amjad Hussain @ Amjd Huaain, Son of Late Syed Dildar Hussain, resident of Mohalla- Imamganj, P.S.- Town, District- Muzaffarpur.
 20. Syed Ali Asad Shahzadu @ Syed Ali Asad Shahzada (T.T) @ Syed Asad Jaheer, Son of Late Syed Ali Nazir.
 21. Murtaza Ali @ Syed Ali Murtaza, Son of Syed Ali Asad, Petitioner nos. 20 & 21 are resident of Mohalla Ibrahim Colony, Chandwara, P.S.- Town, District- Muzaffarpur.
 22. Nazim Hussain Naju, Son of Late Syed Karrar Hussain @ Jamimi, resident of Mohalla Data Kambal Shah, P.S.- Town, District- Muzaffarpur.
 23. Shalu @ Syed Samar Hussain @ Syed Samar Hussain, Son of Iqbal Hussain, resident of Mohalla- Darzitola Chandwara, P.S.- Town, District- Muzaffarpur.
 24. Jafar Ali, Son of Aulad Ali, resident of Mohalla Kamra, P.S.- Town, District- Muzaffarpur.
 25. Yusuf Irani @ Yusuf Ali, Son of Farzand Ali,
 26. Alisher Irani @ Alisher, Son of Fida Hussain.
 27. Yunus Irani @ Yunus Ali, Son of Manzoor Ali,
 28. Jittu Miya @ Iftekhhar Hussain @ Jittu Hussain, Son of Abrar Hussain. Petitioner Nos. 25 to 28 are resident of Mohalla- Barhampura, P.S.- Barhampura, District- Muzaffarpur.
 29. Jamshed Hussain @ Syed Jamshed Ahsan, Son of late Acche Master, resident of Village- Kolhua, P.S.- Ahiyapur, District- Muzaffarpur.
 30. Nabi Sher Hussain, Son of Nazir Hussain
 31. Danish Hussain @ Syed Naque Hussain, Son of Wali Hasan @ Wasi Hassan.
 32. Sharafat Hussain, Son of Aulad Ali.
 33. Asif Hussain @ Waris Abbas, Son of Bunnan Miya.
 34. Yaman Hussain @ Zakir Abbas, Son of Bunnan Miya, Petitioner Nos. 30 to 34 are resident of Mohalla- Kamra, P.S.- Town, District- Muzaffarpur.



35. Masoom Haidar @ Syed Masoom Haidar @ S.M. Haider, Son of Acche Miya.
36. Sultan Hussain @ Sultan Ali, Son of Shabbir Hussain.
37. Hur Ali @ Zishan Haider @ Zishan, Son of Jabbar Ali.
38. Munna Ali, Son of Kasim Abbas, Petitioner Nos. 35 to 38 are resident of Village- Hasan Chak Bangra, P.S. Sadar, District- Muzaffarpur.
39. Athar Hussain, Son of Late Haider Hussain.
40. Zaya Hussain @ Syed Akbar Hussain, Son of Afzal Hussain, petitioner Nos. 39 & 40 are resident of Mohalla- Bhagwanpur Chowk, P.S.- Sadar, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Town P.S.Case no.517 of 2015 dated 21.7.2017, registered for offences punishable under Sections 147, 148, 149, 506, 327 and 342 of the Indian Penal Code.

Allegation against one Molana Kazim Shabib is that he along with 200 anti-social elements including 51 named persons, who are petitioners, had come to Waqf Estate Property at Katar Ki Bari Pakki Sarai Road, Muzaffarpur (Town) and announced for taking the Waqf property and also created hindrance in discharge of public duty.

Submission of the learned counsel for the petitioners is that no specific allegation has been attributed against them and there is



general and omnibus allegation against all the petitioners.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Muzaffarpur in connection with Town P.S. Case no.517 of 2017 dated 21.7.2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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