

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10058 of 2019

Arising Out of PS. Case No.-164 Year-2018 Thana- MAHESI District- East Champaran

1. MD. MUMTAJ Son of Wakil Kuraishi, Resident of Village- Bada Mohalla (Chak Lalu), Ward No.6, P.S.- Mehsi, Distt-East Champaran
2. Kaishar Khatoon @ Kaushari Khatoon Wife of Arshad Kuraishi, Resident of Village- Bada Mohalla (Chak Lalu), Ward No.6, P.S.- Mehsi
3. Jinnat Khatoon Wife of Khurshid Kuraishi, Resident of Village- Bada Mohalla (Chak Lalu), Ward No.6, P.S.- Mehsi
4. Ruhi Khatoon Wife of Aslam Kuraishi, Resident of Village- Bada Mohalla (Chak Lalu), Ward No.6, P.S.- Mehsi
5. Sonu Kuraishi @ Sunnu Kuraishi Son of Bakrid Kuraishi, Resident of Village- Bada Mohalla (Chak Lalu), Ward No.6, P.S.- Mehsi
6. Bakrid Kuraishi @ Md. Bakrid Kuraishi Son of Late Salim Kuraishi, Resident of Village- Bada Mohalla (Chak Lalu), Ward No.6, P.S.- Mehsi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 20-02-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Mehsi P.S. Case No. 164 of 2018
registered for offence punishable under sections 323, 324, 147,
148, 152, 353, 307 and 427 of the Indian Penal Code.

As per FIR, two groups were fighting. In the
meantime, the Police intervened and they started assaulting the
police party and caused damaged to the police jeep.



Altogether 61 persons have been made accused. There is no specific allegation made against these petitioners.

In such view of the matter, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VI, East Champaran at Motihari in connection with Mehsi P.S. Case No. 164 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of their bail bond. Whenever the Police will call the petitioners for the purpose of interrogation/investigation, they would present themselves, In case of failure, the prosecution will have liberty to make a



prayer for cancellation of their bail before the court below.

(Shivaji Pandey, J)

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