

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18823 of 2019

Arising Out of PS. Case No.-368 Year-2018 Thana- MANJHAGARH District- Gopalganj

1. Ajad Ali @ Ajad Alam, Son of Abdul Razaque, Resident of Village - Koini, P.S.- Manjhagarh, Distt.- Gopalganj.
2. Raja @ Saif Ali, Son of Shamsad Ali, Resident of Village - Koini, P.S.- Manjhagarh, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mohammad Sufyan, Advocate.
For the Opposite Party no. 2	:	Mr. Bijay Prasad Singh, Advocate.
For the State	:	Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 25-06-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Manjhagarh P.S. Case No. 368 of 2018, registered under Sections 147, 148, 149, 323, 324, 325, 307, 379 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that 13 persons named in the F.I.R. including the petitioners having rifle, pistol, lathi, danda, farsa and iron rod came behind the house of informant, Arman Ali and started to dig foundation to construct the house. When the informant made protest then Abdul Sattar and Abdul Jabbar opened fire at the informant but the informant save his life



laying on the ground. On hearing the sound of firing, Nishar Ahmad and Tanbir Ahmad, uncle and cousin of informant, rushed to save him then Ajad Ali gave farsa blow at the head of his uncle, Nishar Ahmad with intention to kill him. Thereafter, Nishar Ahmad and Tanbir Ahmad were also assaulted.

Learned counsel for the petitioners submits that there is general and omnibus allegation against the petitioners and others to cause injury to the informant and others but the injuries, as found on the person of the informant and others, are simple in nature. It is further submitted that similarly situated co-accused, namely, Abdul Sattar @ Munna and others have already been granted privilege of pre-arrest bail by a Bench of this Court vide order dated 07.05.2019 passed in Criminal Misc. No. 8665 of 2019 and other analogous cases.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 Chief Judicial Magistrate, Gopalganj, in connection with Manjhagarh P.S. Case No. 368 of 2018, subject to the condition as laid down



under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

