

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24604 of 2019**

Arising Out of PS. Case No.-195 Year-2018 Thana- FULKAHA District- Araria

1. MD. MUNNA Son of Md. Ajabool Resident of Nawabganj, Ward No. 09, P.S.- Fulkaha, District- Araria.
2. Md. Chunna Son of Md. Ajabool Resident of Nawabganj, Ward No. 09, P.S.- Fulkaha, District- Araria.
3. Arbaz @ Md. Arbaz Son of Md. Sairul Resident of Nawabganj, Ward No. 09, P.S.- Fulkaha, District- Araria.
4. Md. Sodagar @ Soudagar Mian Son of Samil Mia Resident of Nawabganj, Ward No. 09, P.S.- Fulkaha, District- Araria.
5. Md. Samil @ Samil Mian Son of Late Dukha Mia Resident of Nawabganj, Ward No. 09, P.S.- Fulkaha, District- Araria.
6. Md. Dilshad @ Dilshad Son of Md. Sahid Resident of Nawabganj, Ward No. 09, P.S.- Fulkaha, District- Araria.
7. Md. Mushtaque Son of Md. Mahiuddin R/o Village- Nawabganj, Ward No. 09, P.S. - Fulkaha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arun Kumar Mandal  
For the Opposite Party/s : Mr.Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

4      20-09-2019      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 323, 324, 307, 337, 427, 379 of the Indian Penal Code registered in connection with Fulkaha P.S. Case No. 195 of 2018, G.R. No. 3837 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of dispute relating to 'raasta'. It is submitted that the accusations against the petitioners are general and omnibus in nature and specific accusation has been made against co-accused Md. Ajabool, who is said to have assaulted the informant on her head with iron rod.



It is submitted that in any event the injuries on the informant Jahaniya Khatoon are simple in nature and no injury has been caused to Afsari Khatoon. There is delay in institution of the FIR on 05.12.2018 for the alleged occurrence of 02.12.2018. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners' be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Araria, District Araria in connection with Fulkaha P.S. Case No. 195 of 2018, G.R. No. 3837 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

Chandran/-

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