

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26146 of 2019

Arising Out of PS. Case No.-258 Year-2018 Thana- BELAGANJ District- Gaya

1. Md. Mister Miyan @ Md. Mister, Son of Titali Miyan Resident of Village - Belaganj Bazar, P.S.- Belaganj, Distt - Gaya.
2. Suhail Miyan @ Md. Suhail, Son of Titali Miyan, Resident of Village - Belaganj Bazar, P.S.- Belaganj, Distt - Gaya.
3. Neta Miyan, Son of Titali Miyan, Resident of Village - Belaganj Bazar, P.S.- Belaganj, Distt - Gaya.
4. Shakil Miyan @ Shakil Alam, Son of Titali Miyan, Resident of Village - Belaganj Bazar, P.S.- Belaganj, Distt - Gaya.
5. Md. Saheb Miyan @ Saheb Miyan, Son of Titali Miyan, Resident of Village - Belaganj Bazar, P.S.- Belaganj, Distt - Gaya.
6. Bhulailla Mian @ Bhulailla, Son of Titali Miyan Resident of Village - Belaganj Bazar, P.S.- Belaganj, Distt - Gaya.
7. Nepali Miyan @ Md. Nepali, Son of Titali Miyan, Resident of Village - Belaganj Bazar, P.S.- Belaganj, Distt - Gaya.
8. Sidu Miyan @ Md. Sidu Miyan, Son of Guddu Miyan Resident of Village - Belaganj Bazar, P.S.- Belaganj, Distt - Gaya.
9. Sahid Miyan ,Son of Ayub Miyan, Resident of Village - Belaganj Bazar, P.S.- Belaganj, Distt - Gaya.
10. Guddu Miyan @ Md. Guddu, Son of Fakhru Miyan Resident of Village - Belaganj Bazar, P.S.- Belaganj, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Belaganj P.S. Case No. 258 of 2018 registered under



Sections 147, 148, 149, 323, 341, 325 and 307 of the Indian Penal Code.

The accusation is that while the informant along with his associates was present at Chabutra then eight persons named in the F.I.R. reached there and asked to move from there. When the informant made protest then he was assaulted through lathi, stick and stones, in which, he sustained injury near the left eye. Further allegation of informant is that on 26.08.2018 petitioners assaulted the informant at Belaganj Bazar causing injury at his head. On raising alarm, his brother came there to save him then he was also assaulted through lathi, danda and fist and slaps.

Learned counsel for the petitioners submits that, in fact, at the time of occurrence on 24.08.2018 informant along with Promod Das and Prameshwar Das came at the door of Samsa Khatoon, wife of Mumgaj Alam, and started to abuse. When protest was made then stone pelting started by both sides, in which, son of Samsa Khatoon sustained injury, regarding same occurrence, Samsa Khatoon, sister of petitioner nos. 1 to 7, lodged Belaganj P.S. Case No. 257 of 2018. It is further submitted that while the petitioners are named in the F.I.R. but no specific overt act has been attributed against them and



petitioners have no criminal antecedent.

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 Belaganj P.S. Case No. 258 of 2018 in connection with learned A.C.J.M.-IX, Gaya, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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

