

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28543 of 2019

Arising Out of PS. Case No.-667 Year-2018 Thana- MUFFASIL District- West Champaran

1. Rasuljan Mian @ Rasul Ajam @ Rasul Alam Son of Gulab Mian Resident of Village - Bharpatia, P.S.- Manuapul, District- West Champaran
2. Md. Farukh Mian @ Farukh Mian Son of Ahmad Mian Resident of Village - Bharpatia, P.S.- Manuapul, District- West Champaran
3. Shakil Mian Son of Inush Mian Resident of Village - Bharpatia, P.S.- Manuapul, District- West Champaran
4. Kitab Hussain Son of Ishaque Mian Resident of Village - Bharpatia, P.S.- Manuapul, District- West Champaran
5. Abdullah Mian Son of Ohid Mian Resident of Village - Bharpatia, P.S.- Manuapul, District- West Champaran
6. Ijhar Mian Son of Manauwar Mian Resident of Village - Bharpatia, P.S.- Manuapul, District- West Champaran
7. Jakir Mian Son of nek Mian Resident of Village - Bharpatia, P.S.- Manuapul, District- West Champaran
8. Ahmad Mian Son of Ishaque Mian Resident of Village - Bharpatia, P.S.- Manuapul, District- West Champaran

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 03-05-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 147, 148, 149, 323, 324, 307, 337, 353 and 338 of the Indian Penal Code and Section 25 (1-b) and 27 of the Arms Act.



When the informant went to orchard of Bettiah Raj for measurement of land for construction of police station building one Md. Irshad @ Baba along with 50 women and 150 men did not allow to measure the land and pelted stone and bricks upon the police party inflicting injury to various police personnel. They also resorted firing.

Learned counsel for the petitioners submitted that no such occurrence as alleged ever took place. The petitioners are quite innocent and have been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioners are not specific rather general and omnibus in nature. They have no concern with the disputed land. Only two constables have sustained injury by means of stone that too on their leg which are simple in nature. They 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in



connection with Muffasil (Manuapul) P.S. Case No. 667 of
2018, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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