

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35261 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- BAUSI District- Purnia

1. SHAMSHAD Son of Late Jabbar Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
2. Mumtaj Son of Late Jabbar Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
3. Isha Son of Late Jabbar Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
4. Ghayas Son of Late Jabbar Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
5. Naushad Son of Late Jabbar Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
6. Riyaz Son of Late Jabbar Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
7. Mangla Son of Isha Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
8. Masih son of Isha Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
9. Munna Son of Riyaz Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
10. Izhar Son of Riyaz Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
11. Imtiyaz Son of Ghayas Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
12. Gufran Son of Ghayas Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
13. Hosni @ Hosaini Wife of Mumtaz Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
14. Manghia Wife of Isha Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
15. Ismati Wife of Munna Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
16. Mahraja Wife of Naushad Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
17. Muntashir Wife of Naushad Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.
18. Murso Wife of Shamshad Resident of Village- Sakarbalia, P.S.- Baisi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nadimul Hasan
For the Opposite Party/s : Mr.Awadhesh Kumar Singh



CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-08-2019 Heard learned counsel for the parties.

It is submitted on behalf of the petitioner that the petitioner nos. 1 to 7 have been arrested during the pendency of this application, as such the application against the petitioner no.1 to 7 are dismissed as withdrawn.

So far petitioner nos. 8 to 18 are concerned, they are apprehending their arrest in connection with Baisi P.S.Case No.12/2019 , registered for offences punishable under Sections 147, 341, 323, 354, 379, 436, 504/506 of the Indian Penal Code.

Allegation as per FIR against the petitioner nos. 8 to 18 is that they have set his house on fire causing damage to the kitchen and also damage to the cattle house. There is also allegation of taking away of Rs.5,000/- and ornaments.

Submission of the learned counsel for the petitioners is that there is case and counter case and as per the counter case the informant and others had set their house on fire and inflame of the same caught the house of the informant also as mentioned in the FIR and the allegation against the petitioners is false and concocted.

Heard learned A.P.P. and the learned counsel for the



Opposite Party No.2 who has opposed the prayer for bail on the ground that against the petitioner nos. 1 and 2 there is specific allegation, however, he has admitted that so far other petitioners are concerned, the allegation is general and omnibus in nature and there is case and counter case also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner nos. 8 to 18 , above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea, in connection with Baisi P.S.Cse No.12 of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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