

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45593 of 2019

Arising Out of PS. Case No.-195 Year-2019 Thana- SAKRA District- Muzaffarpur

1. Jiyaullah @ Md. Jaulla @ Md. Jiyaullah, Son of Md. Jubair Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
2. Md. Musahid, Son of Late Khurshid Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
3. Md. Ashalam, Son of Md. Abbash Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
4. Md. Hanan @ Md. Halan, Son of Md. Jakir Hussain Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
5. Md. Pravej, Son of Md. Hasim Miyan Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
6. Md. Ashafaque, Son of Md. Abbash Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
7. Md. Jubair, Son of Md. Gafur Miyan Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
8. Md. Abul @ Abul Hassan, Son of Md. Jakki Miyan Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
9. Md. Imaran, Son of Md. Ibrar Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
10. MD. Hamid @ Hamid Raza, Son of Md. Badrul Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
11. Md. Asharaf, Son of Md. Anjar Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
12. Md. Jishan, Son of Md. Sajad Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
13. Md. Noor Alam, son of Md. Moif Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
14. Md. Gufaran, Son of Md. Mannan Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
15. Md. Asharaf, Son of Md. Asalam Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
16. Md. Sonu Son, of Md. Moti Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.
17. Md. Dastgir, Son of Md. Suhan Resident of village - Mathaura @ Mathurapur, P.S.- Sakra Bariyarpur O.P., Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Umesh Chandra Verma
For the Opposite Party/s :	Mr.Yogendra Kumar Singh



CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-07-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Sakra (Bariyarpur O.P.) P.S. Case No.195 of 2019 for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 379, 354B, 436, 504 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners along with one another accused person on 06.05.2019 arrived at the residence of the informant with deadly weapon and tried to stop the Barat of niece of the informant and started abusing and upon protest, the petitioners along with other accused persons started assaulting the informant and his family members saying that the informant and his family members did not cast vote in favour of the party of the petitioner in the election.

Mr. Abhishek Kumar, learned counsel appearing for the petitioners submits that petitioners are cousins and both the parties belong to the same village. He further submits that there was case and counter case between the parties and the side of the petitioner have also suffered injury for which Sakra (Bariyarpur O.P.) P.S. Case No.198 of 2019 dated 08.05.2019 lodged by petitioner No.1. He further submits that no injury has been caused to the side of the



informant, as would be evident from the FIR itself. He further submits that in paragraph 10, he has stated that no injury is available on record to substantiate the allegation of assault.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that parties belong to the same village and no injury has been caused to the informant and his family members, as such, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, all the petitioners, named above, are directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Judge-13-cum-A.C.J.M., Muzaffarpur, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

sanjeev/-

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

