

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47717 of 2019

Arising Out of PS. Case No.-195 Year-2018 Thana- BHAWANIPUR District- Purnia

1. MD. ISHA @ MD. ISA Son of Md. Ramzani Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
2. Md. Raju Son of Md. Isha Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
3. Md. Raquib Raja @ Chhotu @ Md. Raquib Son of Md. Isha Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
4. Md. Sanowar @ Sonu @ Md. Sonu Son of Md. Isha Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
5. Md. Monu Son of Md. Isha Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
6. Md. Sajjad @ Sajjo Son of Reyasat Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
7. Md. Futtan Shah @ Md. Fultan Sah Son of Kare Sah Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
8. Md. Rizwan Son of Md. Rayees @ Md. Reyasat Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
9. Abdul Sattar @ Md. Sattar Son of Maniruddin Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
10. Chunna Son of Jamal Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
11. Md. Simta Son of Fazlur Rahman Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
12. Jawaid @ Md. Jawaid Alam Son of Fajjo Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
13. Mojib @ Md. Mobin Alam Son of Yunus Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
14. Sarfraj @ Md. Sarfaraz Alam Son of Yunus Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
15. Usman Son of Noor Mohammad Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
16. Md. Chhote @ Md. Chhotu Son of Md. Sajjad @ Sajjo Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.
17. Md. Ruban Son of Md. Sajjad @ Sajjo Resident of Village Shahidganj, Police Station- Bhawanipur, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Khatim Reza
For the Opposite Party/s :	Mr.Chandra Sen Prasad Singh



CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-07-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Bhawanipur P.S.Case No.195 of 2018 , registered for offences punishable under Sections 147, 148, 149, 341, 323, 342, 327, 379, 307, 387, 427, 337, 504, and 506 of the Indian Penal Code.

Petitioners are 17 in number and the allegation against them and several other named and un-named accused persons is that they came variously armed at the door of the informant, entered inside the courtyard of the informant and assaulted the informant and his family members with intention to kill them. It is also alleged that the petitioner nos.1 and 2 confined Md. Dilshad and assaulted with sword, he fell down on the ground , accused persons damaged the hand-pump and other domestic items and threatened the informant to vacate the land. They had come on the protest of *Tazia* procession.

Submission of the learned counsel for the petitioner is that two cases have been lodged -one by the informant and another by the police and in the case lodged by the police the petitions have been granted anticipatory bail.



Heard learned A.P.P. , who has opposed the prayer for bail on the ground that there is specific allegation against the petitioner nos. 1 & 2 and against several petitioners especially against the petitioner nos. 11, 12, 13 and 14 more than two cases are against them. .

Having heard both sides and in view of the facts and circumstances, as stated above, let all the petitioners, above named, except petitioner nos. 1 (Md. Isha @ Md. Isa and 2. Md. Raju, 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 SDJM, Purnea in connection with Bhawanipur P.S.Case no.195 of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure. So far petitioner nos. 1 and 2 are concerned they shall surrender and pray for regular bail.

With the above direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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