

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46910 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- GOBARDHANA District- West
Champaran

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1. Julum Mian @ Julfkar Ahmad, Son of Late Mohammadin Mian Resident of Village-Khairwa Tola, Balua, Police Station-Gobardhana, District-West Champaran.
 2. Chhote Mian @ Irsad Ansari @ Chhota Mian Son of Motin Mian @ Motin Ansari Resident of Village-Khairwa Tola, Balua, Police Station-Gobardhana, District-West Champaran.
 3. Arjun Ray Son of Late Bandhu Sah Resident of Village-Khairwa Tola, Balua, Police Station-Gobardhana, District-West Champaran.
 4. Manoj Ray Son of Mahagu Ray Resident of Village-Khairwa Tola, Balua, Police Station-Gobardhana, District-West Champaran.
 5. Munna Ray @ Munna Kumar Ray Son of Ramdhari Ray Resident of Village-Khairwa Tola, Balua, Police Station-Gobardhana, District-West Champaran.
 6. Hajrat Mian Son of Late Suleman Mian Resident of Village-Khairwa Tola, Balua, Police Station-Gobardhana, District-West Champaran.
 7. Jakir Mian @ Jakir Son of Samsul Mian Resident of Village-Khairwa Tola, Balua, Police Station-Gobardhana, District-West Champaran.
 8. Yogi Ray @ Jogi Ray Son of Chunni Ray Resident of Village-Khairwa Tola, Balua, Police Station-Gobardhana, District-West Champaran.
 9. Jalim Mian Son of Late Mahmmudin Mian Resident of Village-Khairwa Tola, Balua, Police Station-Gobardhana, District-West Champaran.
 10. Kumar Sah @ Raj Kumar Sah Son of Nijamuddin Mian Resident of Village-Khairwa Tola, Balua, Police Station-Gobardhana, District-West Champaran.
 11. Prakash Sharma @ Om Prakash Sharma Son of Late Ram Narayan Sharma Resident of Village-Khairwa Tola, Balua, Police Station-Gobardhana, District-West Champaran.
 12. Mahfuz Mian Son of Late Gafur Mian Resident of Village-Khairwa Tola, Balua, Police Station-Gobardhana, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rai Mukesh Sharma
For the Opposite Party/s : Mr.Rajeev Nayan (App 231)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER



2 30-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Gobardhana P.S. Case no. 26 of 2019, registered under Sections 147, 148, 149, 341, 323, 324, 307, 427, 504 and 506 of the Indian Penal Code.

The accusation is that 20 persons named in the F.I.R., including the petitioners, variously armed with weapons reached at the farm house of the informant Manager Yadav and on the order of Ashok Yadav, Motin Mian and Janardhan Rai, with intention to kill, caused assault to the informant. At that time, Hari Sah and Akhilesh Sah also caused injury at the head of informant through sword. At that time, they also damaged his tractor, motorcycle and other articles.

Learned counsel for the petitioners submits that, while petitioners are named in the F.I.R., but no specific overt act has been attributed against the petitioners. Further submission is that there is specific allegation of causing assault to the informant against Motin Mian and Janardhan Rai on the instruction of Ashok Yadav. Further submission is that co-accused Ashok Yadav has already been granted privilege of pre-arrest bail on 24.07.2019 vide Criminal Miscellaneous No.



45848 of 2019.

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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M. Bagaha, West Champaran in connection with Gobardhana P.S. Case No. 26 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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