

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65945 of 2019

Arising Out of PS. Case No.-121 Year-2019 Thana- BIHARIGANJ District- Madhepura

1. MD. RAHMAN Son of Late Niyamat Resident of Village-Sarouni Kala, Ward No.12, P.S.-Bihariganj, District-Madhepura.
2. Md. Kalam Son of Md. Nuro Resident of Village-Sarouni Kala, Ward No.12, P.S.-Bihariganj, District-Madhepura.
3. Md. Ramjan Son of Md. Soman Resident of Village-Sarouni Kala, Ward No.12, P.S.-Bihariganj, District-Madhepura.
4. Md. Tabrej Son of Sabbaz Resident of Village-Sarouni Kala, Ward No.12, P.S.-Bihariganj, District-Madhepura.
5. Md. Alam Son of Md. Kari Resident of Village-Sarouni Kala, Ward No.12, P.S.-Bihariganj, District-Madhepura.
6. Md. Illiyas Son of Md. Aziz Resident of Village-Sarouni Kala, Ward No.12, P.S.-Bihariganj, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bihariganj P.S. Case No.121 of 2019 registered under Sections 147, 148, 149, 295, 295(A), 153(A) and 427 of the Indian Penal Code.

The accusation is that on 20.04.2019, on the eve of Sabbe-Raat of Muslim community, the procession proceeded



and when the procession reached near the temple, then 12 persons, named in the F.I.R., including the petitioners and 45 unknown damaged the temple and caused hurt to the villagers.

Learned counsel for the petitioners submits that the alleged occurrence took place in the night and none had seen the actual occurrence. On mere suspicion, the petitioners have falsely been implicated in this case without any specific overt act. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, First Class, Udakishunganj, District-Madhepura, in connection with Bihariganj P.S. Case No.121 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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