

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24692 of 2020

Arising Out of PS. Case No.-63 Year-2020 Thana- SARSI District- Purnia

1. MD. AMJAD Son of Md. Hafij Resident of Village- Masuriya, P.S.- Sarsi, District- Purnea.
2. Md. Javed Son of Md. Hafij Resident of Village- Masuriya, P.S.- Sarsi, District- Purnea.
3. Rajina Khatoon Wife of Hafij Resident of Village- Masuriya, P.S.- Sarsi, District- Purnea.
4. Rifat Khatoon Wife of Md. Javed Resident of Village- Masuriya, P.S.- Sarsi, District- Purnea.
5. Md. Hafiz Son of Late Sayeed Resident of Village- Masuriya, P.S.- Sarsi, District- Purnea.
6. Sajinia Khatoon Wife of Jasim Resident of Village- Masuriya, P.S.- Sarsi, District- Purnea.
7. Aalamgir Son of Moti Resident of Village- Masuriya, P.S.- Sarsi, District- Purnea.
8. Karia Son of Nasir Resident of Village- Masuriya, P.S.- Sarsi, District- Purnea.
9. Rijo Son of Samsher Resident of Village- Masuriya, P.S.- Sarsi, District- Purnea.
10. Azool @ Ayub Son of Late Sayeed Resident of Village- Masuriya, P.S.- Sarsi, District- Purnea.
11. Sahjad Son of Idrish Resident of Village- Masuriya, P.S.- Sarsi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Helal Ahmad, Adv.

For the Opposite Party/s : Mr. Abhay Kumar-I, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-12-2020 Heard learned counsel for the petitioners and learned
APP for the State, through video conferencing.

The instant application for anticipatory bail has been
filed by the petitioners apprehending their arrest in connection
with Sarsi P.S. Case No. 63 of 2020, registered under sections



307, 147, 149, 341, 342, 323, 224, 325 and 379 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that while he was repairing his hutment, which has been damaged in the storm, the accused persons including the eleven petitioners herein came variously armed and started to assault. It is stated by the informant that they hide themselves in the hutment and saved their life. The accused persons also misbehaved with the police personnel.

It is submitted by learned counsel for the petitioners that the allegations as levelled in the FIR are false and malicious. It is submitted that on false and concocted allegation with respect to misbehavior with the police, a separate case in continuance of the present case was registered as Sarsi P.S. Case No. 64 of 2020, wherein the petitioners have been enlarged on anticipatory bail vide order dated 5.11.2020 passed in Cr. Misc. No. 25244 of 2020. It is further submitted that the injuries have been found to be simple in nature. Further referring to the supplementary affidavit filed on behalf of the petitioner, it is submitted that there are large number of cases between the petitioners and the informant side. Besides the criminal case, there is also land dispute between the parties which relates to the purchase of a piece of land by cousin brother of the



petitioners from Lakshmi Devi in the year 2017. These being the cause of false implication of the petitioner.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the material available on record, as also the fact that in continuity of the occurrence as narrated in the instant FIR, the petitioners have been enlarged on anticipatory bail in a connected case being Sarsi P.S. Case No. 64 of 2020, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Sarsi P.S. Case no. 63 of 2020, they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Purnia subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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