

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66102 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- JALALGARH District- Purnia

1. ABDUL SATTAR Son of Sarafat Ali Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
2. Md. Tahir Son of Late Mustafa Sayed Ali Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
3. Kamrujjama Son of Najrul Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
4. Abdul Salam Son of Md. Siddik Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
5. Md. Jahir Son of Md. Kadir Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
6. Akmal Son of Md. Abutalib Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
7. Azad Son of Md. Abutalib Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
8. Sadik Son of Maniruddin Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
9. Najrul Son of Ansu Rahman Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
10. Mojabul Son of Ainul Haque Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
11. Abutalha Son of Late Hafijuddin Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
12. Anwar Alam Son of Late Abid Ali Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
13. Nurul Haque Son of Siddik Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
14. Md. Akhtar Son of Sikandar Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
15. Md. Mukhtar Son of Najir Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
16. Jainul Son of Najir Hussain Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
17. Anarul Haque Son of Samd Ali Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
18. Md. Ayub Son of Md. Kasim Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
19. Habibur Rahman Son of Late Said Ali Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
20. Sirajul Son of Aimur Resident of Village - Jangla, Kol, P.S.- Srinagar (K.



Nagar), District - Purnea

21. Nutfal Son of Kitab Ali Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
22. Md. Taiyab Son of Kitab Ali Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
23. Kitab Ali Son of Basir Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
24. Md. Najir Son of Late Basir Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
25. Md. Asgar Son of Late Ajhar Ali Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
26. Md. Samim Son of Abdul Salam Resident of Village - Jangla, Kol, P.S.- Srinagar (K. Nagar), District - Purnea
27. Md. Rehsan Son of Late Mujahar Ali Resident of Village - Surha Ghat, Dagra, P.S.- Jalalgarh, District - Purnea
28. Badruddin Son of Late Ainul Haque Resident of Village - Surha Ghat, Dagra, P.S.- Jalalgarh, District - Purnea
29. Md. Khalil @ Bablu Son of Badruddin Resident of Village - Surha Ghat, Dagra, P.S.- Jalalgarh, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. N.K. Agrawal, Sr. Adv. with M/s Dr. Bidhu Ranjan & Ashok Kumar Jha, Adv.
For the State	:	Mr. Dashrath Mehta, APP
For the informant	:	Mr. Ram Pravesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 22-01-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with
Jalalgarh P.S. Case No. 46 of 2019, registered under Sections
147, 148, 149, 341, 323, 324, 325, 307 and 302 of the Indian
Penal Code.



The accusation is that informant, Mofizul Haque, was engaged in cutting his maize crop in the field, all of a sudden fifty-one persons, named in the first information report, including the petitioners, and 15 to 20 unknown variously armed with weapons reached there and started to cause assault. On the order of Ajit Pathak, Ansur Rahman, Md. Quasim, Abdul Rahman, Aatur Rahman, Md. Jamal, Shafiqul, Md. Iliyas and Habib assaulted to Aatur Rahman through farsa and dabia, who died soon thereafter. At that time, Taimur, Murtaza, Noorul Abdin, Lal Chand, Jabbar and Azizul also caused injury to Mofizul Haque and Zainul. At that time, Azizul gave the farsa blow at the hand of Shoaib Ali and on the eye of Shamsul Haque causing grievous injury in the eye.

Learned counsel appearing for the petitioners submits that while the petitioners are named in the first information report along with others named accused, but, no specific overt act has been attributed against the petitioners. The allegation of causing injury to the deceased is against Taimur, Murtaza, Noorul Abdin, Lal Chand, Jabbar and Azizul. Further, submission is that while the petitioners are accused in two cases, as detailed in paragraph 3, but, the said cases are also instituted by the informant.



Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Jalalgarh P.S. Case No. 46 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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