

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77142 of 2019

Arising Out of PS. Case No.-636 Year-2019 Thana- FORBESGANJ District- Araria

1. MD. SHAMIM Son of Late Bauni @ Boni Resident of Village-Rampur Dakshin, P.S-Forbesganj, District-Araria.
2. Md. Taufique @ Md. Taufique Amanullah Son of Md. Irfan @ Md. Irfan Shekhra Resident of Village-Rampur Dakshin, P.S.-Forbesganj, District-Araria.
3. Md. Hamza Amanullah @ Md. Hamza Son of Md. Irfan Resident of Village-Rampur Dakshin, P.S-Forbesganj, District-Araria.
4. Md. Arbaz @ Md. Arbaj Son of Md. Hasim Resident of Village-Rampur Dakshin, P.S-Forbesganj, District-Araria.
5. Md. Abdal @ Abdal Son of Md. Murtaza Resident of Village-Rampur Dakshin, P.S-Forbesganj, District-Araria.
6. Md. Jamshed Son of Md. Qasim Resident of Village-Rampur Dakshin, P.S-Forbesganj, District-Araria.
7. Md. Jumman @ Jumman Son of Late Durkhan Resident of Village-Rampur Dakshin, Ward No.07 P.S-Forbesganj, District-Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-02-2020 Supplementary affidavit has been filed on behalf of
the petitioners. Let the same be kept on record.

Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioners apprehending their arrest in connection
with Forbesganj P.S. Case No. 636 of 2019 registered for the
offence punishable under sections 147, 148, 149, 341, 323, 342,



353, 435, 427, 504 and 506 of the Indian Penal Code.

As per allegation made in the F.I.R., on receiving information about the road having been blocked by the accused persons, the informant along with others reached there. It is stated that as a result of the occurrence that had taken place the same morning at about 10.30 a.m., eighteen named accused persons including the seven petitioners herein along with 30-35 unknown persons blocked the road and on the attempt made by the informant to persuade them, they began to become excited and started throwing stone etc. and damaged the public property. Confusion and chaos continued for over two hours.

It is submitted by learned counsel for the petitioners that there was case and counter case between the petitioner no. 1 and Minhazuddin as a result of fight between the two parties. It is stated that blockage of road had taken place at two different places and the police has lodged two FIRs against two set of persons. FIR against the petitioners being instituted as Forbesganj P.S. Case No. 636 of 2019. It is further stated that in the case lodged by Minhazuddin, this petitioner and others have been enlarged on anticipatory bail and in the FIR being Forbesgang P.S. Case No. 635 of 2019 lodged by the police personnel against Minhazuddin and others, they have also been



enlarged on anticipatory bail.

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

Having heard learned counsel for the parties and taking into consideration the nature of allegation, no police personnel having been injured as per narration in the FIR and grant of bail to other accused as stated above, this Court is inclined to grant anticipatory bail to the petitioners and they are directed to surrender in the court below within a period of six weeks from today and in the event of their arrest or surrender, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 636 of 2019, subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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