

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80023 of 2019

Arising Out of PS. Case No.-134 Year-2019 Thana- KUTUMBA District- Aurangabad

1. JAIKEE @ MD. NASIR EKBAL Son of Md. Emraj Alam Resident of Village-Sonarkhap, P.S.-Kutumba, District-Aurangabad.
2. Humayu @ Md. Humayu Son of Md. Mohuddin Resident of Village-Sonarkhap, P.S.-Kutumba, District-Aurangabad.
3. Badeli @ Anwar Raja Son of Udi Alam @ Md. Jalalluddin Resident of Village-Sonarkhap, P.S.-Kutumba, District-Aurangabad.
4. Nasim @ Md. Nasim Akhtar Son of Udi Alam @ Md. Jalalludin Resident of Village-Sonarkhap, P.S.-Kutumba, District-Aurangabad.
5. Mastan @ Md. Naushad Alam Son of Late Md. Habib Resident of Village-Sonarkhap, P.S.-Kutumba, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 08-09-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

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

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 427, 436, 506 and the Indian Penal Code and 27 of the Arms Act.



Allegedly, in the night of the date of occurrence, while the informant along with five others was sleeping in Surya Mandir, 80-90 persons of Muslim community having armed with Lathi, Gun, Petrol entered in the campus of Surya Mandir. They were firing at that time and they burnt the goods worth Rs. Two lacs in the office of Mandir. It is also alleged that they also burnt scriptures and also placed naxal posters there.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Altogether eight persons are named in the FIR along with 80-90 unknown persons. Due to political reason, the petitioner have been named in the FIR. No burn articles are said to have been seized by the prosecution.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Aurangabad in connection with Kutumba
P.S. Case No. 134 of 2019 subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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