

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86714 of 2019

Arising Out of PS. Case No.-312 Year-2019 Thana- CHAKIA District- East Champaran

MD. IBADAT @ IBADAT Son of Muslim Mian Resident of Village -
Balochak, P.S.- Chakia, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Chakia P.S. Case No. 312 of 2019, registered under Sections
147, 148, 149, 341, 323, 324, 325, 307, 332, 333, 353, 504,
427 and 379 of the Indian Penal Code.

The accusation is that informant along with other
Police personnel and Chowkidar proceeded for verification of
application filed by Md. Abid, resident of village-Balochak,
P.S. Chakia, District-East Champaran. In course of inquiry, the
informant made inquiry regarding lying of abandoned scooty,
as detailed in the application. At that time, Samira Khatoon,
Tabrej Alam, Madhu Mian and Md. Muslim came there and
become furious then informant tried to convince them, but



they started raising slogans against the administration in abusive language. Thereafter, other villagers started gathering on hearing noise having brick, stones, lathi, stick, Farsa and Garansa started to create nuisance in discharge the official duty by the informant. In that course, Md. Abid, his mother Samira Khatoon, daughter in law of Muslim Mian, Tabrej Alam and Madhu Mian started to cause assault through bricks, stones, lathi and stick in which he sustained injury and he fell down and others also started to cause assault. At that time, cash of Rs. 2500-2600/- and a mobile set were also snatched and papers were also torn by them. On giving information to the higher officials, Police personnel reached there and, anyhow, the informant and other Police personnel were saved. Thereafter, informant was rushed to referral hospital, Chakia from where he was referred to S.K.M.C.H, Muzaffarpur for better treatment. At the spot, Md. Abadat (Petitioner), Noor Hussan, Afjal Sai and Samira Khatoon were apprehended.

Learned counsel for the petitioner submits that while petitioner has been apprehended along with three others, but no specific overt act has been attributed against the petitioner. Further submission is that, in fact, on hearing the sound of quarrel, the petitioner also reached on the spot, but he



has been apprehended merely on suspicion. The petitioner has no criminal antecedent and he is in custody since 12.09.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in connection with Chakia P.S. Case No. 312 of 2019.

(Rajendra Kumar Mishra, J)

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