

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87242 of 2019

Arising Out of PS. Case No.-137 Year-2019 Thana- LAUKARIA District- West
Champanan

- =====
1. NEHAL @ KAZIM PARVEZ S/o Imteyaz @ Imteyaz Ahmad
 2. Bhannu @ Habibullah S/o Akhtar Hussain
 3. Adnan @ Shamim Perwez S/o Shaukat Ali
 4. Chhotak @ Ashrafullah S/o Athar Hussain

All are residents of village- Kandhwalia, P.S.- Lauriya, District- West
Champanan at Bettiah

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh
For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 25-06-2020 Heard Mr. Raghunandan Kumar Singh, learned

counsel for the petitioner and Mr. Mohammad Sufyan,

learned APP for the State.

The petitioners seek bail in anticipation of his

arrest in connection with Lauriya P.S. Case No. 137 of 2019

dated 01.08.2019 instituted for the offences under Sections

147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of

the Indian Penal Code.

The petitioner nos. 1 and 3 are alleged to have



been armed with sword and garasa whereas petitioner no. 2 is only said to be the order giver and petitioner no. 4, a member of the mob.

Though, there is general and omnibus allegation against all the accused persons but there is specific allegation against petitioner nos. 1 and 3 of having assaulted the informant and others. A perusal of injury report of the informant indicates that he received incised wound and the opinion with respect to those injuries was reserved. Later, those injuries were found grievous in nature.

Considering the afore-stated facts but taking into account the counter version of the occurrence and old land dispute, petitioner nos. 2/Bhannu @ Habibullah and petitioner no. 4/Chhotak @ Ashrafullah are directed to be released on bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -I,



West Champaran at Bettiah, in connection with Lauriya P.S.
Case No. 137 of 2019, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

The prayer for anticipatory bail of petitioner no.
1 /Nehal @ Kazim Parvez and petitioner no. 3/Adnan @
Shamim Perwez are rejected.

If they surrender before the court below and seek
bail, it shall be considered on its own merits without being
prejudiced by the fact that this petition on their behalf has
not been entertained.

This petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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