

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16197 of 2021**

Arising Out of PS. Case No.-180 Year-2020 Thana- KRITYANAND NAGAR District-  
Purnia

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1. HANNAN ALI @ ABDUL HANNAN S/O LATE SAIFUDDIN R/o village- Khuti Hasaili, P.S.- K. Nagar (Sri Nagar), District- Purnea
  2. FARZAN ALI S/O LATE SAIFUDDIN R/o village- Khuti Hasaili, P.S.- K. Nagar (Sri Nagar), District- Purnea
  3. AZIBUR ALI @ AZIBUR RAHMAN S/O LATE SAIFUDDIN R/o village- Khuti Hasaili, P.S.- K. Nagar (Sri Nagar), District- Purnea
  4. MUZAFFAR ALI S/O LATE SANMAHAMMAD R/o village- Khuti Hasaili, P.S.- K. Nagar (Sri Nagar), District- Purnea
  5. PAPPU @ MD. SAKIM S/O NAUSHAD ALI R/o village- Khuti Hasaili, P.S.- K. Nagar (Sri Nagar), District- Purnea
  6. ANARAS @ ANRUL HAQUE S/O MUZAFFAR ALI R/o village- Khuti Hasaili, P.S.- K. Nagar (Sri Nagar), District- Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Md Fazle Karim  
For the Opposite Party/s : Mrs. Renu Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      30-07-2021                      Heard learned counsel for the petitioners and the  
  
State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

At the outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner Nos. 1, 2, 3 & 4 as during pendency of this application, they



have been taken into judicial custody.

Permission is granted.

Accordingly, this application with regard to petitioner No. 1 to 4 is dismissed as withdrawn.

The petitioner Nos. 5 & 6 are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 324 and 307 of the Indian Penal Code and 27 of the Arms Act.

Allegedly, while the informant was ploughing his field with tractor, the accused persons having armed with deadly weapons, came there and stopping tractor started assaulting. Firing was also made.

It has been submitted on behalf of the petitioner Nos. 5 & 6 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against them. They have been falsely implicated in the present case. General and omnibus allegation has been made against the petitioner Nos. 5 & 6. No specific overt act is alleged against the petitioner Nos. 5 & 6. There is case and counter case between the parties. Title suit is also pending between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.



On behalf of the State, it is submitted that the petitioner Nos. 5 & 6 are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioner Nos. 5 & 6, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Nagar P.S. Case No. 180 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner Nos. 5 & 6 shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

**(Sudhir Singh, J)**

A.K.V.//-

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