

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9433 of 2020

Arising Out of PS. Case No.-725 Year-2019 Thana- ARARIA District- Araria

1. ZUBEDA KHATOON @ ZUBAIDA W/o Rais Khan Resident of Village- Araria Basti, Ward No. 7, P.S.- Araria, Baigachhi, District- Araria.
2. Jooli W/o Noor Resident of Village- Araria Basti, Ward No. 7, P.S.- Araria, Baigachhi, District- Araria.
3. Roohi D/o Khalil Resident of Village- Araria Basti, Ward No. 7, P.S.- Araria, Baigachhi, District- Araria.
4. Shabnam W/o Minnat Resident of Village- Araria Basti, Ward No. 7, P.S.- Araria, Baigachhi, District- Araria.
5. Gulshan @ Bibi Gulshan @ Gulu W/o Guddu Resident of Village- Araria Basti, Ward No. 7, P.S.- Araria, Baigachhi, District- Araria.
6. Md. Israil @ Israil S/o Rasis Resident of Village- Araria Basti, Ward No. 7, P.S.- Araria, Baigachhi, District- Araria.
7. Pappu @ Rafiqu Khan S/o- Late Shafique Resident of Village- Araria Basti, Ward No. 7, P.S.- Araria, Baigachhi, District- Araria.
8. Khalil @ Md. Khalil Khan S/o- Kabir Resident of Village- Araria Basti, Ward No. 7, P.S.- Araria, Baigachhi, District- Araria.
9. Ashique S/o- Late Sarwer Resident of Village- Araria Basti, Ward No. 7, P.S.- Araria, Baigachhi, District- Araria.
10. Firoz @ Firoz Khan S/o- Late Shafique Resident of Village- Araria Basti, Ward No. 7, P.S.- Araria, Baigachhi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Adv.
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 08-10-2021 At the outset, learned counsel for the petitioners submits that petitioner no. 7, namely, Pappu @ Rafiqu Khan has been arrested during pendency of this application, and as such, he seeks permission to withdraw this application as



against him.

Permission is granted.

The application, thus, stands dismissed as withdrawn as against petitioner no. 7.

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

Petitioners apprehend arrest in connection with Araria (Bairgachhi) P.S. Case No. 725 of 2019 registered for the offence punishable under section 307 and other allied sections of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that petitioners have been falsely implicated in this case. The allegations levelled are general and omnibus in nature and are not supported by the injuries sustained. Petitioners are men of clean antecedent.

Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that there is specific allegation of giving farsa blow on petitioner no. 9 which is corroborated by the injury report.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner nos. 1, 2, 3, 4, 5, 6, 8 and 10, above named, in



the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing personal bond to the satisfaction of Chief Judicial Magistrate, Araria (Bairgachhi) in connection with Araria P.S. Case No. 725 of 2019 subject to the conditions laid down under section 438(2) Cr.P.C.

As regards petitioner no. 9, considering the fact that there is direct allegation against him which is corroborated by the injury report, this Court is not inclined to grant him the privilege of bail. His prayer for bail is, accordingly, rejected.

(Arvind Srivastava, J)

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