

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33530 of 2020

Arising Out of PS. Case No.-122 Year-2019 Thana- BHARGAMA District- Araria

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1. Md. Fahran @ Faran son of Late Nayeem Resident of Village-Birnagar, Police Station- Bhargama, District- Araria.
 2. Md. Nigar @ Md. Nigar Anjum son of Md. Samid Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 3. Md. Ibran @ Md. Imran Fazal son of Md. Masihujjama Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 4. Md. Raja @ Md. Noman Reza son of Md. Rizwan Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 5. Md. Haghlib @ Md. Raghlib son of Md. Nayeem Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 6. Md. Afsar son of Md. Haris Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 7. Md. Akhtar son of Md. Haris Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 8. Md. Sameer @ Chhotu @ Md. Amir Reza son of Md. Jiyaul Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 9. Md. Jiyaul @ Md. Jiyaul Haque son of Late Abul Hasan Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 10. Md. Ghalib son of Md. Jiyaul @ Md. Jiyaul Haque Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 11. Md. Rakib son of Md. Jiyaul @ Md. Jiyaul Haque Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 12. Md. Sajid son of Md. Jiyaul @ Md. Jiyaul Haque Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 13. Md Raghlib @ Md. Raghlib Rahman son of Md. Jiyaul @ Md. Jiyaul Haque Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 14. Md. Mahboob @ Md. Mahboobe Alahi son of Md. Najam Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 15. Md. Rais @ Md. Rais Alam son of Md. Najam Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 16. Md. Ajmer @ Md. Shahnawaz Alam son of Md. Najam Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 17. Md. Jawed son of Md. Mohid Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
 18. Md. Nehal son of Md. Moin @ Md. Mobin Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.



19. Md. Helal @ Md. Belal son of Md. Moin @ Md. Mobin Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.
20. Md. Nazam @ Md. Niz @ Md. Nezamuddin son of Late Abul Hasan Resident of Village-Birnagar, Police Station-Bhargama, District-Araria.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 10-03-2021 Heard the learned counsel for the petitioners and
the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Bhargama P.S. Case No. 122 of 2019 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 307, 354(B), 379, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

A dispute is said to have arisen because of the petitioner nos. 1 and 2 not returning the loan amount which was given to them by the informant sometimes ago.

Learned counsel for the petitioners has submitted that the persons from two different sides fought over some



issues in which both sides have received injuries. The informant and others have received simple injuries. One Md. Sagir is said to have been injured in a grievous manner but the author of such injury is the petitioner no. 20, namely, Md. Nazam @ Md. Niz @ Md. Nezamuddin.

The petitioner nos. 1 to 19 are said to be the members of mob and are not alleged to have caused any grievous injury on any one of the victims.

Regard being had to the nature of accusation against the petitioner nos. 1 to 19, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Araria, in connection with Bhargama P.S. Case No. 122 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

The prayer for anticipatory bail of the petitioner no.



20/ Md. Nazam @ Md. Niz @ Md. Nezamuddin, however, is rejected.

In case the petitioner no. 20 surrenders before the Court below and seeks bail, the court below shall consider his application on its own merits, without being prejudiced by the fact that the present petition on his behalf has not been entertained and shall pass order in accordance with law.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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