

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36480 of 2020

Arising Out of PS. Case No.-102 Year-2020 Thana- JOKIHAT District- Araria

1. SALIM ZAFAR Son of Zahur Resident of Village - Farsadangi Police station - Jokihat, District - Araria.
2. Yusuf Son of Kuddus Resident of Village - Farsadangi Police station - Jokihat, District - Araria.
3. Gulae @ Israil Son of Sakil Resident of Village - Farsadangi Police station - Jokihat, District - Araria.
4. Noor Hassan @ Md. Noorul Hassan Son of Md. Hasim Resident of Village - Farsadangi Police station - Jokihat, District - Araria.
5. Safir Son of Mansoor Resident of Village - Farsadangi Police station - Jokihat, District - Araria.
6. Anjar @ Md. Anjar Basar Son of Nurool Wasar Resident of Village - Farsadangi Police station - Jokihat, District - Araria.
7. Matin @ Abdul Matin Son of Mousin Resident of Village - Farsadangi Police station - Jokihat, District - Araria.
8. Laddu @ Md. Rabbani Son of Mansoor Resident of Village - Farsadangi Police station - Jokihat, District - Araria.
9. Harish @ Md. Harish Son of Gayash Resident of Village - Farsadangi Police station - Jokihat, District - Araria.
10. Samim Son of Manir Resident of Village - Farsadangi Police station - Jokihat, District - Araria.
11. Jabir Son of Tajjum Resident of Village - Farsadangi Police station - Jokihat, District - Araria.
12. Irshad Son of Jabbar Resident of Village - Gamharia, Hat Tola, Police station - Jokihat, District - Araria.
13. Qurban Son of Bakar Resident of Village - Gamharia, Hat Tola, Police station - Jokihat, District - Araria.
14. Rizwan @ Rizawan Son of Ramjan Resident of Village - Gamharia, Hat Tola, Police station - Jokihat, District - Araria.
15. Prawez Son of Wasir Resident of Village - Farsadangi Police station - Jokihat, District - Araria.
16. Sohrab Son of Rahman Resident of Village - Farsadangi Police station - Jokihat, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate



For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-03-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

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

Counsel for the petitioners seeks permission to withdraw the
present application filed on behalf of petitioners No.3 and 13, as the
petitioners No.3 and 13 have been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioners No.3 and
13 is dismissed as withdrawn.

The petitioners No.1, 2, 4 to 12 and 14 to 16 are
apprehending their arrest in a case registered under Sections 147,
149, 341, 342, 323, 188, 427, 307, 353, 504 of the Indian Penal Code
and Section 51 of Disaster Management Act.

Allegation is that the accused persons including the
petitioners along with 40-50 unknown assaulted the police personnel
by means of lathi and danda, on account of which they sustained
injuries and the accused persons also damaged the government police
jeep by pelting stones.

It has been submitted on behalf of the petitioners No.1, 2,
4 to 12 and 14 to 16 that the petitioners No.1, 2, 4 to 12 and 14 to 16
have got no criminal antecedent. There is no allegation of tampering



of witnesses alleged against the petitioner Nos.1, 2, 4 to 12 and 14 to 16. The petitioner Nos.1, 2, 4 to 12 and 14 to 16 have falsely been implicated in the present case. General and omnibus allegation has been made. No specific overt act is alleged against the petitioner Nos.1, 2, 4 to 12 and 14 to 16.

On behalf of the State, it is submitted that the petitioners No.1, 2, 4 to 12 and 14 to 16 are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner Nos.1, 2, 4 to 12 and 14 to 16, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat P.S. case No.102 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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