

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56113 of 2021

Arising Out of PS. Case No.-59 Year-2020 Thana- MUFFASIL District- West Champaran

1. Syed Naushad Ahmad, (Male), aged about 54 years, Son of Mir Abbas Ahmad @ Syed Abbas, R/O Village- Chhawani, P.S.- Bettiah Mufassil (Manuapul), District- West Champaran.
2. Md. Hussain, (Male), aged about 52 years, Son of Liyakat Hussain, R/O Village- Chhawani, P.S.- Bettiah Mufassil (Manuapul), District- West Champaran.
3. Kamruzzama, (Male), Son of Ramjan Khan, R/O Village- Chhawani, P.S.- Bettiah Mufassil (Manuapul), District- West Champaran.
4. Shamiuzzama Khan, (Male), aged about 38 years, Son of Nurlawsar Khan @ Nurul Basar, R/O Village- Chhawani, P.S.- Bettiah Mufassil (Manuapul), District- West Champaran.
5. Zakir Hussain, (Male), aged about 54 years, Son Of Mir Sahadat, R/O Village- Chhawani, P.S.- Bettiah Mufassil (Manuapul), District- West Champaran.
6. Md. Israil (Male), aged about 67 years, son of Md. Isha, R/O Village- Chhawani, P.S.- Bettiah Mufassil (Manuapul), District- West Champaran.
7. Md. Munasir, (Male), aged about 44 years, Son of Late Nazir Hussain, R/O Village- Chhawani, P.S.- Bettiah Mufassil (Manuapul), District- West Champaran.
8. Md. Kalam, (Male), aged about 56 years, Son of Abdul Majid Miya, R/O Village- Basant Tola, P.S.- Kalibag (O.P.), District-West Champaran.
9. Jabrail Mian, (Male), aged about 56 years, Son of Late Pakadi @ Late Abdul Ajiz, R/O Village- Basant Tola, P.S.- Kalibag (O.P.), District-West Champaran.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Aditya Nath Jha, Advocate
For the Opposite Party	:	Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of eight weeks.



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

The petitioners are apprehending his arrest in connection with Bettiah Mufassil (Manuapul) P.S. Case No. 59 of 2020 for the offence registered under Sections 147, 152, 188, 353, 427, 332, 333, 506 of the I.P.C., 3, 4, 5 of the Public Property Act and 3/4 of the Bihar Essential Service Maintenance Act.

The prosecution story, in brief, is that on 29.01.2020, the informant who happens to be S.H.O. of Manuapul Police Station, has got information that at Chhawani Chowk near Mosque at NH-727, 100-150 male and female have formed unlawful assembly for protesting against N.R.C., C.A.A. and N.P.R. and they had blocked the road due to which the traffic was stopped. Upon which, at about 10.30 A.M., the informant alongwith other police personnel reached there and saw that about 100-150 male and female have formed unlawful assembly and were protesting against N.R.C., C.A.A. and N.P.R. and they had blocked the road and kept chair, bench, table and wooden log on the road due to which the traffic was stopped. The accused petitioners alongwith those people were leading the gathering. They were shouting slogans against the police which compelled the police to move back and it caused hindrance in



official duty. The police party tried hard to pacify them but in vain, the accused persons also burnt Tyres on the road in the form of protest.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. As per allegation, local residents were protesting against N.R.C., C.A.A. and N.P.R. General and omnibus allegation has been made against the petitioners. No specific overt act has been alleged against the petitioners. Altogether 17 persons alongwith 100-150 unknown have been made accused in this case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners 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 furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Bettiah (West Champaran), in connection



with Bettiah Mufassil (Manuapul) P.S. Case No. 59 of 2020
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Sudhir Singh, J)

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