

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1333 of 2021

Arising Out of PS. Case No.-148 Year-2020 Thana- DHAMDAHA District- Purnia

1. Md. Israfil @ Israfil Son Of Late Foudar Ali Resident Of Sakin-Birniya,Kabaiyan,P.S-Dhamdaha,District-Purnea.
2. Md. Habil Son Of Md. Farooque Resident Of Sakin-Birniya,Kabaiyan,P.S-Dhamdaha,District-Purnea.
3. Md. Yusuf Son Of Late Ijat Ali Resident Of Sakin-Birniya,Kabaiyan,P.S-Dhamdaha,District-Purnea.
4. Md. Mushtaque Son Of Md. Auli Resident Of Sakin-Birniya,Kabaiyan,P.S-Dhamdaha,District-Purnea.
5. Md. Naeem Son Of Md. Mushtaque Resident Of Sakin-Birniya,Kabaiyan,P.S-Dhamdaha,District-Purnea.
6. Md. Kaeem Son Of Md. Mushtque Resident Of Sakin-Birniya,Kabaiyan,P.S-Dhamdaha,District-Purnea.
7. Md. Bouli Son Of Md. Ahmad Resident Of Sakin-Birniya,Kabaiyan,P.S-Dhamdaha,District-Purnea.
8. Md. Dhorro Son Of Md. Ahmad Resident Of Sakin-Birniya,Kabaiyan,P.S-Dhamdaha,District-Purnea.
9. Chandra Kishor Son Of Baldev Sah Resident Of Kabaiya,P.S-Dhamdaha, District-Purnia

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate
For the Opposite Party/s : Mr.Viveka Nand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2021 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 from the date of restoration of normalcy.



Counsel for the petitioners seeks permission to withdraw the present application filed on behalf of petitioner No.1, as the petitioner No.1 has been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner No.1 is dismissed as withdrawn.

The petitioners No.2 to 9 are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 324, 307, 302 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners No.2 to 9 assaulted the informant's father and uncle by means of lathi, danda, bhala, farsa, due to which they sustained injuries. The informant's father died on the spot. The informant also sustained injuries in head and hand.

It has been submitted on behalf of the petitioners No.2 to 9 that there is no allegation of tampering of witnesses alleged against the petitioners No.2 to 9. The petitioners No.2 to 9 have falsely been implicated in the present case. General and omnibus allegation has been made. No specific overt act is alleged against the petitioners No.2 to 9. Altogether 19 persons are named in the F.I.R. including the petitioners No.2 to 9.

On behalf of the State, it is submitted that the



petitioners No.2 to 9 are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioners No.2 to 9, 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 CIS No.474 of 2020, Dhamdaha P.S. case No.148 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 petitioners No.2 to 9 will 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)

Narendra/-

U		T	
---	--	---	--

