

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19257 of 2021

Arising Out of PS. Case No.-75 Year-2020 Thana- DAWATH District- Rohtas

1. MOHAMMAD JIBRAIL @ JIBRAIL TAILORS @ JIBRAIL IDRISI Son of Late Hakka Mian Resident of Village - Bithawan, P.s.- Dawath, Distt.- Rohtas.
2. MOHAMMAD ANISH Son of Jibrail Tailor. Resident of Village - Bithawan, P.s.- Dawath, Distt.- Rohtas.
3. MOHAMMAD YUSUF ALAM @ MD. YUSUF Son of Jibrail Tailor Resident of Village - Bithawan, P.s.- Dawath, Distt.- Rohtas.
4. YASIN IDRISI @ MD. YASIN Son of Jibrail Tailor Resident of Village - Bithawan, P.s.- Dawath, Distt.- Rohtas.
5. MOHAMMAD ROUSHAN Son of Jibrail Tailor Resident of Village - Bithawan, P.s.- Dawath, Distt.- Rohtas.
6. MOHAMMAD MARUF Son of Jibrail Tailor Resident of Village - Bithawan, P.s.- Dawath, Distt.- Rohtas.
7. MOHAMMAD MERAJ AHMAD @ MD. MERAJ Son of Akhtar Tailor Resident of Village - Bithawan, P.s.- Dawath, Distt.- Rohtas.
8. MULLA AKHTAR @ AKHTAR TAILOR Son of Late Alimullah Tailor Resident of Village - Bithawan, P.s.- Dawath, Distt.- Rohtas.
9. MOHAMMAD NAUSHAD ALAM @ NAUSHAD Son of Late Alimullah Tailor Resident of Village - Bithawan, P.s.- Dawath, Distt.- Rohtas.
10. KHALIL AHMAD @ MD. KHALIL @ MD. KHALIL AHMAD Son of Late Alimullah Tailor Resident of Village - Bithawan, P.s.- Dawath, Distt.- Rohtas.
11. MOHAMMAD @ MD. SHAHID @ MD. SHAHID ALAM Son of Late Alimullah Tailor Resident of Village - Bithawan, P.s.- Dawath, Distt.- Rohtas.
12. MOHAMMAD SADDAM HUSSAIN @ MD. SADDAM @ SADDAM HUSSAIN Son of Late Alimullah Tailor Resident of Village - Bithawan, P.s.- Dawath, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate
For the Opposite Party/s : Mr.Mukund Mohan Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER



4 28-06-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehends their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 147, 149 of the Indian Penal Code.

Vide order dated 29.04.2022, the petitioner nos.1 to 4 and 6 to 12 have been granted provisional bail by the co-ordinate Bench of this Court. Case diary and injury report were also called for in this case. The same has been received.

On perusal of the case diary and the injury report, it is clear that the injuries are simple in nature. It is also submitted by learned counsel for the petitioners that there is no specific overt act against the petitioners.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the petitioners are involved in alleged occurrence and there is specific allegation against the petitioner no.5.

Having regard to the facts and circumstances of the case,



provisional bail granted to the petitioner nos.1 to 4 and 6 to 12 named above, vide order dated 29.04.2022 is hereby confirmed, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, since there is specific allegation against the petitioner no.5, I am not inclined to grant him the privilege of anticipatory bail. The prayer for grant of anticipatory bail on behalf of the petitioner no.5 is hereby rejected.

The bail application is partly allowed.

(Anjani Kumar Sharan, J)

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