

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19413 of 2021

Arising Out of PS. Case No.-119 Year-2020 Thana- CHANDRADIP District- Jamui

Md. Sohrab @ Md. Sohrab Alam, aged about 42 years (Male), S/O Md. Shamim Resident of Village-Chandradeep, P.S Chandradeep District Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 19717 of 2021

Arising Out of PS. Case No.-119 Year-2020 Thana- CHANDRADIP District- Jamui

1. Md. Shamim @ Md. Shamim Akhtar, aged about 55 years (Male), Son of Md. Kallu Resident Of Village - Chandradeep, P.S.- Chandradeep, Dist.- Jamui.
2. Md. Afsar Mallick @ Md. Afsar, aged about 30 years (Male), Son of Md. Shamim @ Shamim Akhtar Resident of Village - Chandradeep, P.S.- Chandradeep, Dist.- Jamui.
3. Md. Wasim Akhtar @ Md. Wasim, aged about 25 years (Male), Son of Md. Shamim @ Md. Shamim Akhtar Resident of Village - Chandradeep, P.S.- Chandradeep, Dist.- Jamui.
4. Md. Oshama @ Md. Anshu @ Md. Arshu, aged about 20 years (Male), Son ofof Md. Shamim @ Md. Shamim Akhtar. Resident of Village - Chandradeep, P.S.- Chandradeep, Dist.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 19413 of 2021)

For the Petitioner/s : Mr.Satya Prakash Parasar, Adv.

For the Opposite Party/s : Mr. APP

(In CRIMINAL MISCELLANEOUS No. 19717 of 2021)

For the Petitioner/s : Mr.Satya Prakash Parasar, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-04-2022 Both the bail petitions have been taken up to together



and are being disposed of by this common order.

Heard Mr. Satya Prakash Parasar, learned advocate for the petitioners in both the bail petitions and learned Additional Public Prosecutor for the State.

The petitioners in both the applications seek bail in anticipation of their arrest in connection with Chandradeep P.S. Case No. 119 of 2020 dated 27.08.2020 instituted for the offences under Sections 147, 148, 324, 323, 307, 504 and 506 of the Indian Penal Code and later on Section 379 of the I.P.C. has been added.

Because of a dispute with respect to filling of a drain, an occurrence took place in which two persons are said to have received simple injuries.

Learned counsel for the petitioners submits that the specific act of assault has been attributed to only one person amongst the petitioners namely Md. Sohrab @ Md. Sohrab Alam (petitioner in Cr. Misc. No. 19413 of 2021). He is said to have assaulted one Sanaullah who has received simple injuries. The only other injured person has also received simple injuries but none of the other petitioners have been alleged to have assaulted him. Thus, for all practical purposes, all the petitioners except Md. Sohrab @ Md. Sohrab Alam can only be said to be



the members of the mob.

As noted above, Md. Sohrab @ Md. Sohrab Alam is said to have caused simply injury on Sanaullah.

Regard being had to the background facts and taking into account there is a counter version of the occurrence also vide Chandradeep P.S. Case No. 145/2020, the petitioners in both the applications are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Jamui in connection with Chandradeep P.S. Case No. 119 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

While saying so, this Court has taken into account the fact that the petitioners have clean antecedents.

Both the bail applications are accordingly disposed of.

(Ashutosh Kumar, J)

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