

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11316 of 2022

Arising Out of PS. Case No.-222 Year-2021 Thana- BELA District- Sitamarhi

1. ASRULLAH @ ABDULLAH @ ASRULLAH SHEIKH Son of Maulana Jainuddin Sehikh Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
2. Md. Istekar Sheikh @ Iftekhar @ Md. Iftekhar Son of Md. Shami Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
3. Amnatullah Sheikh @ Aniyatullah Son of Qayum Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
4. Jammirul Shikh @ Md. Jamirul @ Md. Jamirul Sheikh Son of Md. Khalil Sheikh Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
5. Ubair Doctor @ Md. Ubaid Ansari @ Dr. Ubaid Son of Alam Ansari Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
6. Nausad @ Md. Asjad Kamal Son of Maulana Jubair Saheb Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
7. Vanarwa @ Amirul Haque Son of Suleman Ansari Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
8. Shiftullah @ Shifgatullah Son of Md. Masleuddin Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
9. Salamat @ Salamtllah Son of Md. Asadullah Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
10. Kalim @ Md. Kalimallah Son of Haji Chaiwala @ Abdul Hadi Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
11. Md. Jumman Son of Md. Hanif Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
12. Jilani @ Md. Jilani Md. Jumman Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
13. Md. Allauddin Son of Late Md.Alim Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
14. Maseleuddin @ Md.Maseleddin Son of Late Alim Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
15. Md. Talha @ Md. Abutallah Son of Md. Najir Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
16. Md. Gulab @ Saluddin @ Md. Salauddin Gulab Soln of Md. Sarafat Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
17. Md. Rahmad @ Rahmat Ali Son of Md. Saheb Jan Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
18. Abdullah Son of Masleuddin Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
19. Md. Javed @ Javed Akhtar @ Md. Javed Akhatar Son of Bhaglu @ Mustafa @ Md. Mustafa. Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.



20. Bhaglu @ Mustafa @ Md. Mustafa Son of Ismile Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
21. Masiha @ Shekh Md. Masiullah Ansari @ Masiullah Son of Akhtar Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
22. Ujale Md. Jamaluddin Son of Md. Sharafat Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
23. Md. Alam Son of Muslim Ansari Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
24. Hamid Reza @ Md. Hamid Reza Son of Md. Ahmed Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
25. Md. Mukhtaruddin @ Md. Mukharuddin @ Mokhtartaruddin Son of Md. Maulana Hannam Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
26. Md. Abujar Rahmani @ Md. Sifiya @ Abu Sufiyan Son of Md. Sattar Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.
27. Chunne @ Md. Chunne Son of Sabir Residence of Village- Kanhwan, P.S.- Bela, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioners and the State
through virtual mode.

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

The petitioners are apprehending their arrest in Bela P.S.
Case No. 222 of 2021 registered under Sections 147, 148, 149,
332, 333, 307, 353, 427 of the Indian Penal Code.



Prosecution case in short is that in course of election, a scuffle took place and in consequence thereof, the accused persons attacked the police vehicle by brick batting and stone pelting, as a result of which, the police vehicles became damaged and the driver and police force sustained injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. A scuffle is said to have taken place during election. Sixty known and 200-250 unknown persons have been made accused in the present case.

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

Considering the aforesaid facts and circumstances of the case, 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 bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned Sub Divisional Judicial Magistrate, Sitamarhi in connection with Bela P.S. Case No. 222 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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