

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15633 of 2022

Arising Out of PS. Case No.-258 Year-2021 Thana- SASARAM NAGAR District- Rohtas

1. Shadek Kureshi @ Sadiq Kureshi @ Siddiq Kureshi, S/O Late Karimuddin Kureshi R/O Mohalla- Sahjalalpir, P.S.- Sasara (Town), District- Rohtas
2. Feroz Kureshi, S/O Shadek Kureshi R/O Mohalla- Sahjalalpir, P.S.- Sasara (Town), District- Rohtas
3. Irfan Kureshi, S/O Shadek Kureshi R/O Mohalla- Sahjalalpir, P.S.- Sasara (Town), District- Rohtas
4. Fahim Kureshi, S/O Karimuddin Kureshi R/O Mohalla- Sahjalalpir, P.S.- Sasara (Town), District- Rohtas
5. Chhedi Kureshi, S/O Ayub Kureshi R/O Mohalla- Sahjalalpir, P.S.- Sasara (Town), District- Rohtas

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Sinha
For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-09-2022 The learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to petitioner nos.1 and 5 as they have been arrested by the police.

Permission is accorded.

Accordingly, instant petition is dismissed as withdrawn as having become infructuous with respect to petitioner no.1 and 5.

Heard learned counsel for the rest petitioners and the



learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 325, 379, 385, 504, 506 and 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners have antecedent of one case and the informant alleges that on 05.04.2021 when he was returning with money to his home when he was intercepted by five named accused persons, who threatened him to withdraw the case lodged against them to which the informant objected. Accordingly, it is alleged that Chhedi Kureshi assaulted the victim with katta on his head injured him and thereafter, all the accused took the mobile of the victim and Rs.25,000/-.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that specific allegation of assault is against Chhedi Kureshi, who has already been arrested. It is next submitted that allegation of assault against rest of the accused is general and omnibus in nature and the allegation of snatching of mobile and Rs.25,000/- is alleged, the same is ornamental.

The learned Additional Public Prosecutor opposes the anticipatory bail application.



Considering the submissions made by the learned counsel for the petitioners, the petitioner nos.2, 3 and 4, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sasaram Town P. S. Case No.258 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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