

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36310 of 2022

Arising Out of PS. Case No.-280 Year-2021 Thana- KADWA District- Katihar

1. MD ALAUDDIN @ ALWA S/o Late Kalu Resident of Village- Singalpur, P.S.- Kadwa, Dist- Katihar.
2. Md. Jalaluddin @ Jala S/o Late Kalu Resident of Village- Singalpur, P.S.- Kadwa, Dist- Katihar.
3. Md. Tasrul S/o Md. Jalaluddin Resident of Village- Singalpur, P.S.- Kadwa, Dist- Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yatindra Narayan

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-11-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offence punishable under Sections 147/ 148/ 149/ 341/ 323/ 324/ 325/ 353/ 188/ 436/ 307/ 356/ 171(G)/ 171(H)/ 379/ 504/ 50 of the IPC.

As per the prosecution case, 40 FIR named accused persons including these petitioners and about 250 unknown people were making were making obstruction in gram panchyat election proceeding and in consequence thereof, the occurrence of assault is alleged to have taken place in which three police personnel including Circle Officer sustained injuries.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been



implicated in this case. There is general and omnibus allegation against all the accused persons and no specific allegation has been made against these petitioners. Petitioners have got no criminal antecedent. Similarly situated co-accused have already been allowed bail by a coordinate bench of this court vide order dated 11.05.2022 passed in CR. Misc no. 19146 of 2022.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case, in the event of arrest/surrender within six weeks from today, let the petitioners, above named, be released on 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 Chief Judicial Magistrate, Katihar in connection with Kadwa P.S. Case No. 280 of 2021 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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