

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37483 of 2022

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

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1. SHAHNAWAZ RAHI @ NAWAZ RAHI @ SAYAD SHAHNAWAJ HUSSAIN Son of Nijamuddin Resident of vill- Gandhi Nagar Sonaili, PS- Kadowa, Dist- Katihar
 2. Masoom Raza Son of Late Mannan Resident of village- Gandhi Nagar Sonaili, PS- Kadwa, Dist- Katihar
 3. Md Murtaza @ Murtaza Ali Son of Late Mannan Resident of Village- Gandhi Nagar Sonaili, PS- Kadwa, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yatindra Narayan and V.Vikash, Advocates
For the Opposite Party/s : Mr.Umeshanand Pandit, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 307/379 and other allied sections of the Indian Penal Code.

Prosecution's case in short is that accused persons including the petitioners were making obstruction in election proceeding and in consequence thereof occurrence of assault took place between the parties in which 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 of assault against the accused persons and no specific overt act has been alleged against the petitioners . Similarly situated co-accused have already been allowed bail by this Court vide order passed in Cr.Misc.No. 36310/22. Petitioners have got no criminal antecedent.

Considering the nature of allegation against the petitioners, in the event of arrest/surrender within six weeks from today, let the petitioners, named above, 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 the Chief Judicial Magistrate, Katihar in Kadwa Police Station Case No. 280 of 2021, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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