

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50169 of 2021

Arising Out of PS. Case No.-518 Year-2019 Thana- MUFFASIL District- West Champaran

1. MANJUR MIAN S/o Tufani Mian R/o village- Ray Dhurwa, P.S.- Bettiah Muffasil (Manuapul), District- West Champaran
2. Kamrul Hoda S/o Jan Mohammad Mian R/o village- Ray Dhurwa, P.S.- Bettiah Muffasil (Manuapul), District- West Champaran
3. Nurain Mian S/o Badari Mian R/o village- Ray Dhurwa, P.S.- Bettiah Muffasil (Manuapul), District- West Champaran
4. Manir Mian @ Manir Ansari S/o Yakub Miyan R/o village- Ray Dhurwa, P.S.- Bettiah Muffasil (Manuapul), District- West Champaran
5. Tahir Mian @ Tahir Ansari S/o Noor Hasan Mian R/o village- Ray Dhurwa, P.S.- Bettiah Muffasil (Manuapul), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2022 Learned counsel for the petitioners submits that the petitioner nos. 1, 2, 3 and 4 have been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner nos. 1, 2, 3 and 4.

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to petitioner nos. 1, 2, 3 and 4.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State for consideration of bail of rest of the petitioner.



Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 332, 333, 353, 427, 435, 436, 152, 153A, 295A, 504, 506 of the Indian Penal Code and Section 3/4 of the Damage of Public Property Act.

Accused Ali Akbar threw fire ball upon the spectators due to which situation became tensed and from both the sides pelting of stones and tricks started. The persons in the processions intercepted the police vehicle and broke the glass pane of the vehicle. The accused persons also caused injury over the head of one of the constables. When the police tried to rescue the other police officers the accused persons assaulted the police personnel and burnt their motorcycle. They have also burnt many other vehicles and caused injuries to many police officers by assaulting them with bricks and stones and sword.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that petitioner has been



named as members of the unlawful assembly. He submits that there is no specific allegation against the petitioner. He further submits that petitioner has two criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts that petitioner is the member of the mob, the above named petitioner no. 5 in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bettiah Muffasil (Manuapool) P.S. Case No. 518 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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