

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3339 of 2021

Arising Out of PS. Case No.-110 Year-2019 Thana- AGION (GARHANI) District- Bhojpur

1. TANBIR ALAM Son of Badaruddin Ansari Resident of Village - Gadhani, P.S.- Charpokhari, District - Bhojpur.
2. Md Tikka @ Tarik @ Tarique Anwar Son of Badaruddin Ansari Resident of Village - Gadhani, P.S.- Charpokhari, District - Bhojpur.
3. Manoj Miyan @ Manoj Miya Son of Late Afzal Miyan @ Sherafjal Resident of Village - Gadhani, P.S.- Charpokhari, District - Bhojpur.
4. Lal Babu Son of Bali Miyan @ Bali Miya Resident of Village - Gadhani, P.S.- Charpokhari, District - Bhojpur.
5. Nashim @ Nasim @ Tannu Son of Isha Sidiki @ Isha Siddique @ Md. Saddam Resident of Village - Gadhani, P.S.- Charpokhari, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 22-03-2022 Heard Mr. Ravindra Kumar, learned Advocate for the
petitioners and Mr. Ram Anurag Singh for the State.

The petitioners seek bail in anticipation of their arrest
in connection with Agion (G) P.S. Case No. 110 of 2019 dated
02.08.2019 instituted for the offences under Sections 147, 148,
149, 341, 323, 186, 187, 189, 342, 353, 224, 427, 504, 506 and
336 of the Indian Penal Code.

While the police party had gone to arrest one Taslim
@ Arif @ Guddu Mukhiya in connection with a case under the



NDPS Act, his 100-150 supporters tried to disturb the process of arrest and also attacked the police station where the aforesaid arrestee was brought by the police party. However, when the police retaliated, those supporters ran away from the police station. The petitioners and others were identified by local Chowkidar and spy of the police.

Learned counsel for the petitioners has submitted that the accusation is absolutely false. Though some of the petitioners are related to aforesaid Taslim @ Arif @ Guddu Mukhiya but the subject FIR is because of political dispute at the instance of one Jag Narayan Singh who had lost in the contest of Mukhiya with aforesaid Taslim @ Arif @ Guddu Mukhiya.

Guddu Mukhiya is said to have been made accused in the NDPS case on the basis of confession of an arrested accused person and has been taken into custody in a malicious manner. In order to saddle aforesaid Guddu Mukhiya with further charges, this false case has been lodged against the family members and supporters of Guddu Mukhiya, who had only questioned the police party the reason for arresting Guddu Mukhiya.

Some of the other accused persons have been granted



anticipatory bail by a Bench of this Court a copy of which order has been brought on record.

Considering the afore-noted facts, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Agion (G) P.S. Case No. 110 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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