

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49693 of 2022

Arising Out of PS. Case No.-35 Year-2022 Thana- SAHPUR District- Bhojpur

1. MUNNA KURAISHI S/o Late Mater Kuraishi R/o village- Ranisagar, P.S.- Shahpur, District- Bhojpur at Ara (Bihar)
2. Parvez Kuraishi S/o Salim Kuraishi R/o village- Ranisagar, P.S.- Shahpur, District- Bhojpur at Ara (Bihar)
3. Niyaz Kuraishi S/o Ashraf Kuraishi R/o village- Ranisagar, P.S.- Shahpur, District- Bhojpur at Ara (Bihar)
4. Karim Kuraishi @ Kariya S/o Tengari Kuraishi R/o village- Ranisagar, P.S.- Shahpur, District- Bhojpur at Ara (Bihar)
5. Nazir Kuraishi S/o Late Matar Kuraishi R/o village- Ranisagar, P.S.- Shahpur, District- Bhojpur at Ara (Bihar)
6. Rukhi Kuraishi S/o Late Majid Kuraishi R/o village- Ranisagar, P.S.- Shahpur, District- Bhojpur at Ara (Bihar)

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Pandey
For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioners and learned
APP for the State.

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

At the very outset, learned counsel for the petitioners seeks permission to withdraw this application in respect of



petitioner no.1, submitting that during pendency of this application petitioner no.1 has been apprehended by the police.

Permission is granted.

Accordingly, this application is dismissed as withdrawn in respect of petitioner no.1 only.

Now, this application survives for petitioner nos.2 to 6.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 379, 504 and 506 of the Indian Penal Code.

While the father of the informant was going to his house, on the way, due to previous enmity the F.I.R. named accused persons are said to have assaulted him by means of lathi, danda and rod and sustaining injury on his head the father of the informant felled down and got unconscious.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against Kallu Kuraishi and Salim Kuraishi. There is counter



version of the case also. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 Shahpur P.S. Case No.36 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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