

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20589 of 2023

Arising Out of PS. Case No.-487 Year-2019 Thana- AURANGABAD TOWN District-
Aurangabad

1. Wakil Ahmad @ Wakil Quraishi @ Wakil Ahmad Quraishi Son Of Late Barkat Quraishi.
2. Jinna Quraishi Son Of Late Ashique Quraishi.
3. Md. Faiyaz Quaraishi @ Md. Faiyaz Alam Son Of Ashique Quraishi
4. Aftab Quraishi Son Of Mokhtar Quraishi
5. Nasir Quraishi @ Ishteyaq Ahmad @ Ishteyaq Quraishi Son Of Mustaque Quraishi
6. Nasir Quraishi @ Nasir Hussain Son Of Allauddin Quraishi
7. Md. Firdos Son Of Bismil Quraishi
8. Md. Shamim Quraishi @ Surya Quraishi @ Shamim @ Surya Son Of Jhunnu Quraishi R/O Mohalla- Ansarbag, P.S.- Aurangabad Town, District- Aurangabad (BIHAR)
9. Jahir Quraishi @ Jhunnu Quraishi @ Jahir Son Of Late Majid Quraishi
10. Raja Quraishi @ Md. Imroj @ Imroj @ Raja Son Of Ekroj Quraishi
11. Rinku Quraishi @ Dilshad Quraishi @ Dilshad Son Of Late Mukhtar Quraishi all R/O Mohalla- Quraishi, P.S.- Aurangabad Town, District- Aurangabad (BIHAR)
12. Sonu @ Singham Quraishi @ Singham Son Of Wakil Quraishi R/O Mohalla- Ansarbag, P.S.- Aurangabad Town, District- Aurangabad (BIHAR)
13. Ajam Ansari @ Ajam Son Of Akbar Ansari R/O Mohalla- Ansarbag, P.S.- Aurangabad Town, District- Aurangabad (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 11-09-2023 Learned counsel for the petitioners submits that the petitioner no. 10 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 10.

2. Permission is granted.

3. Accordingly, this application is dismissed as



withdrawn with regard to petitioner no. 10.

4. Learned counsel for the petitioners has filed the supplementary affidavit mentioning the correct address of the petitioner nos. 1 to 11.

5. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State for consideration of bail with regard to rest of the petitioners.

6. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 332, 333, 337, 338, 353, 186, 307, 504, 506, 427, 386 of the Indian Penal Code, Section 3/4 of Explosive Substance Act, Section 3/4 of Prevention of Damage to Public Property Act, Section 27 of the Arms Act and Section 67 of the Information Technology Act.

7. As per prosecution case, there was a strike call given by a political party when the FIR named accused persons including 100-150 angry mob, forcibly set some shops on fire, the police tried to pacify the issue, but they started pelting stones.

8. Learned counsel for the petitioners submits that the petitioners are innocent and has been falsely implicated in this case. He submits that there is no specific overt act against



the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that the petitioners have not been seen by eye witnesses participating in the Bihar Band procession organized by a political party nor he was found present on the place of occurrence. He further submits that petitioner nos. 1, 3, 4, 5, 6, 7, 8, 9 and 13 have no criminal antecedent whereas rest of the petitioners have criminal antecedent as stated in para-3 of the bail application.

9. Learned APP for the State opposes the prayer for bail.

10. Considering the facts and circumstances of the case, let the above named petitioners in the event of their 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) 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 Aurangabad Town P.S. Case No. 487 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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