

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67487 of 2022

Arising Out of PS. Case No.-230 Year-2022 Thana- BAKHTIYARPUR District- Patna

1. MD. IQBAL @ BALLI SON OF MD. IJAHAR @ BITAN MIYAN R/O MOHALLA- ABBU MUHAMMADPUR, P.S.- BAKHTIYARPUR, DISTRICT- PATNA
2. MD. DANISH SON OF MD. IMTAYAJ R/O MOHALLA- ABBU MUHAMMADPUR, P.S.- BAKHTIYARPUR, DISTRICT- PATNA
3. MD. SAJJAD SON OF MD. KHALIL R/O MOHALLA- ABBU MUHAMMADPUR, P.S.- BAKHTIYARPUR, DISTRICT- PATNA
4. MD. KHALID @ SATTA SON OF IAJHAAR @ VITAN MIYAN R/O MOHALLA- ABBU MUHAMMADPUR, P.S.- BAKHTIYARPUR, DISTRICT- PATNA
5. MD. ADDAM SON OF MD. MUSTAFA MANSURI R/O MOHALLA- ABBU MUHAMMADPUR, P.S.- BAKHTIYARPUR, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kumar,Adv.
For the Opposite Party/s : Mr.Rajiv Nayan, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 342, 323, 427, 353, 504 of the Indian Penal Code and Section 3 of Damage of public property Act.

Allegedly, petitioners along with other accused persons blocked the road. On seeing the police force, gathered people started shouting slogans against the police. They abused and



assaulted the police personnel. They tried to damage the public property and objected officials in performing their official duty.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. They have been falsely implicated in this case merely on the basis of suspicion. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted there were a huge number of persons at the place of occurrence. No any property whether government or private was damaged by the petitioners. Petitioners were only falsely dragged in this case because they are relatives of the deceased. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific allegation against the petitioners, 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 Bakhtiyarpur P.S. Case No. 230 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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