

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71616 of 2022

Arising Out of PS. Case No.-167 Year-2022 Thana- KALYANPUR District- East Champaran

1. WASIR MIYA @ MD. BASIR S/o Alijan Mian @ Md. Alijaan R/o Bahuara Haribansh, Ward no. 15, Rajpur, East Champaran, Rajpur, PO and PS-Rajpur, Bihar- 845432.
2. SOIB ALI @ MD. SHOAIB S/o Md. Alam @ Alam Miyan R/o Bahuara Haribansh, Ward no. 15, Rajpur, East Champaran, Rajpur, PO and PS-Rajpur, Bihar- 845432.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Nath
For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-03-2023 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, 148, 149, 341, 323, 324, 307, 353, 332, 504,120B and 427 of the Indian Penal Code.

All the F.I.R. named accused persons and 100 unknown persons including these petitioners under a criminal conspiracy attacked on the police forces, due to which the informant and police officials sustained injuries. They also damaged the government vehicle and caused hindrance in performing the official duty of the government officials.



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 at the instance of a land broker. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that petitioner are not named in the F.I.R. Similarly situated co-accused Gulam Miya and another have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 17.03.2023 passed in Cr. Misc. No.65054 of 2022. 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 lower Court where the case is pending/successor Court in connection with Kalyanpur P.S. Case No.167 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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