

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66420 of 2022

Arising Out of PS. Case No.-131 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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1. Munna Kuraishi Son Of Nanak Kuraishi @ Nanhak Kuraishi R/O Village-
Baluwa Chik Patti, P.S.- Nagar, District- East Champaran Motihari
 2. Phiroj Kuraishi Son Of Nanak Kuraishi @ Nanhak Kuraishi R/O Village-
Baluwa Chik Patti, P.S.- Nagar, District- East Champaran Motihari
 3. Sugga Kuraishi @ Phirdosh Kuraishi Son Of Nanak Kuraishi @ Nanhak
Kuraishi R/O Village- Baluwa Chik Patti, P.S.- Nagar, District- East
Champaran Motihari
 4. Reyazul Kuraishi @ Reyajul Son Of Yushuf Kuraishi R/O Village- Baluwa
Chik Patti, P.S.- Nagar, District- East Champaran Motihari
 5. Aarif Kuraishi Son Of Ramjan Kuraishi R/O Village- Baluwa Chik Patti,
P.S.- Nagar, District- East Champaran Motihari
 6. Nisha Kuraishi @ Sadiya Khatoon Wife Of Ramjan Kuraishi R/O Village-
Baluwa Chik Patti, P.S.- Nagar, District- East Champaran Motihari
 7. Jahagir Kuraishi @ Jahagir Son Of Nanak Kuraishi @ Nanhak Kuraishi R/O
Village- Baluwa Chik Patti, P.S.- Nagar, District- East Champaran Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 09-02-2023 Learned counsel for the petitioners is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Vide order dated 15.12.2022, it is submitted that



during the pendency of this anticipatory bail application the petitioner no. 2, namely, Phiroz Kuraishi and the petitioner no.7, namely, Jahangir Kuraishi were arrested and they withdrew their applications earlier.

The petitioners are apprehending their arrest in a case registered for the offences punishable u/s 147, 148, 149, 186, 332, 333 and 353 of the Indian Penal Code.

As per the prosecution case, two groups were fighting with each other. On information the police reached the spot and tried to pacify the matter but the accused persons made scrimmage with the police force and made hindrance in the discharge of official duties.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. The petitioner no. 1 and the petitioner no. 4 have one more criminal antecedent and the other petitioners have no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their



arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned East Champaran, Motihari in connection with Nagar P.S. Case No. 131 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with one condition:-

1. The court below shall verify the criminal antecedent of the petitioners and at any stage, if it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Chandra Prakash Singh, J)

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