

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70470 of 2022

Arising Out of PS. Case No.-222 Year-2019 Thana- BHARGAMA District- Araria

1. MD. SAWOOD Son of Md. Basroo R/V- Chharrapatti, P.S- Bhargama, Dist- Araria
2. Julla Son of Iliyas R/V- Chharrapatti, P.S- Bhargama, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Mr. Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2023 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 Section 186 of the Indian Penal Code and Section 25(1-b) a/26 of the Arms Act.

Allegation against the petitioners is that on the event of Moharram started quarrelling with sharp edged weapon, arrow and lathi.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners are member of mob. He submits that no injury has been caused to any person. He



submits that petitioners have not committed any such offence as alleged in the FIR and there is no recovery of any arms from their conscious possession. Similarly situated co-accused has been enlarged on bail by this Court vide order dated 17.11.2022 passed in Cr. Misc. No. 39515 of 2022 and vide order dated 19.12.2022 passed in Cr. Misc. No. 55201 of 2022. Petitioners have got one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for bail.

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 Bhargama P.S. Case No.222 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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