

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20311 of 2024

Arising Out of PS. Case No.-345 Year-2023 Thana- SINGHESHWAR District- Madhepura

1. Kaushar Alam S/o- Late Isha Ali @ Mohammad Isa Ali Village- Jhitakiya Near by Urdu School W. No-6, Ps- Singheshwar Dist- Madhepura
2. Md. Mashum @ Md. Mashum Alam @ Md. Masoom Alam son of Late Md. Motiur Rahman Village- Jhitakiya Near by Urdu School W. No-6, Ps- Singheshwar Dist- Madhepura
3. Md. Ashik Alam son of Late Md. Motiur Rahman Village- Jhitakiya Near by Urdu School W. No-6, Ps- Singheshwar Dist- Madhepura
4. Md. Sartaj @ Md. Sartaj Alam son of Late Md. Motiur Rahman Village- Jhitakiya Near by Urdu School W. No-6, Ps- Singheshwar Dist- Madhepura
5. Md. Tohfa son of Md. Ziauddin Village- Jhitakiya Near by Urdu School W. No-6, Ps- Singheshwar Dist- Madhepura
6. Md. Amir @ Md. Amir Alam son of Md. Irfan Alam @ Mohammad Irfan Alam Village- Mahavir Chowk, Singheshwar, W.No-7/11, Ps- Singheshwar Dist- Madhepura
7. Md. Monu @ Adil alam son of Md. Irfan Alam @ Irfan Alam Village- Mahavir Chowk, Singheshwar, W.No-7/11, Ps- Singheshwar Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Budhilal Yadav, Adv.
For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 16-04-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Singheshwar P.S. Case No. 345 of 2023 dated 02.12.2023 registered for the offences punishable u/ss 147, 149, 341, 323, 353, 431, 504, 506, 188 of the Indian Penal Code.



3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have blocked the road to disturb. On being asked, they made scrimmage with the police personnel and started abusing them. The accused persons also tried to snatch the government's pistol from the police personnel and they also caused hindrance in discharging the official duties.

4. 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. Learned counsel has further submitted that the police party have not sustained any injuries. It is further submitted that the petitioners have no concern with the alleged offence. The petitioner no. 1 has ten criminal antecedents, the petitioner no. 2 has eleven criminal antecedents, the petitioner no. 3 has nine criminal antecedents, the petitioner no. 4 has three criminal antecedents, the petitioner nos. 6 and 7 have one criminal antecedent and the petitioner no. 5 has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the



petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on 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, Madhepura in connection with Singheshwar P.S. Case No. 345 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition :-

(i) The petitioner nos. 1, 2 and 3 are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of their bail bonds.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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