

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24520 of 2024

Arising Out of PS. Case No.-535 Year-2023 Thana- BAGHA District- West Champaran

1. MD. EJAJ QURAI SI @ MD. AZAZ QURAI SI SON OF BIKAU KURAI SI RESIDENT OF VILLAGE - MASTAN TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
2. MD. AMIR KHAN SON OF MD. NAFISH KHAN RESIDENT OF VILLAGE - MARWARI DHARM SHALA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
3. BHOLI SAIFI @ AFROJ ALAM SON OF LATE MOHARRAM MIAN @ LATE MOHARRAM MISTRI RESIDENT OF VILLAGE - MASTAN TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
4. MD. ANSARUL HAQUE SAIFI @ ANSARUL SAIFI SON OF MOHARRAM SAIFI RESIDENT OF VILLAGE - MASTAN TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
5. AFTAB QURAI SI SON OF ANWAR QURAI SI RESIDENT OF VILLAGE - MASTAN TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
6. MD. IRFAN SON OF SHAMSHUL HODA RESIDENT OF VILLAGE - GORIYAPATTI, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
7. KHURSHEED ALAM @ MD. KHURSHID ANSARI SON OF MD. BECHAN ANSARI RESIDENT OF VILLAGE - DAFALI TOLA, WARD NO.,25, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
8. MD. SAADIK ALI SON OF MD. SHABIR ALI @ MD. SAKIR ALI RESIDENT OF VILLAGE - DAFALI TOLA, WARD NO.25, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
9. MD. SHABIR ALI SON OF RAFIK ALI RESIDENT OF VILLAGE - DAFALI TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
10. MD. MERAJ SON OF WAJUL MIAN RESIDENT OF VILLAGE - GORIYAPATTI, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
11. MUBARAK ALI SON OF MD. ISHAQUE RESIDENT OF VILLAGE - DAFALI TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
12. ZAKHTAR RAIEN @ MD. AKHTAR SON OF ASLAM RAIEN @ ASLAM MIYAN RESIDENT OF VILLAGE - MASTAN TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
13. SAMSHUDDIN QURAI SI SON OF JABBAR QURAI SI RESIDENT OF VILLAGE - MASTAN TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
14. MD. NURAIN QURAI SI @ KALLU QURAI SI SON OF MD. BIKAU



- QURAI SI RESIDENT OF VILLAGE - MASTAN TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
15. TALEEM QURAI SI SON OF MUSLIM QURAI SI RESIDENT OF VILLAGE - MASTAN TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
16. JAID ALI @ SOHAIB ANSARI SON OF HAIDAR ANSARI RESIDENT OF VILLAGE - MASTAN TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
17. MEENU ANSARI @ SHAHID IQBAL SON OF LATE BHOLA MIAN @ UMAR FAROOQUE RESIDENT OF VILLAGE - MASTAN TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
18. AFSAR @ REHAN RAIEN SON OF MD. MEJAMUDDIN @ MAINUDDIN RAIEN @ MD. NAZEMUDDIN RESIDENT OF VILLAGE - MASTAN TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
19. JAKRULLAH QURASHI @ JAKRULLAH KURAI SI SON OF BHULI QURAI SI @ BHOLA QURAI SI RESIDENT OF VILLAGE - MASTAN TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN
20. KARIM ALLAH SON OF SAJAWAL MIAN RESIDENT OF VILLAGE - DAFALI TOLA, POLICE STATION - BAGAHA, DISTRICT - WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-04-2024 Heard learned counsels for the petitioners and APP

Mr. Umeshanand Pandit.

2. The petitioners apprehend his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 186, 188, 341, 323, 326, 307, 353, 332, 333, 152, 153, 337, 338, 285, 286, 354A, 436, 504, 506, 509 and 120B of the Indian Penal Code and Sections 3 and 4 of the Public Property Damage



Act.

3. As per prosecution case, at the alleged date and time of occurrence, 44 named, including these petitioners, and 200-300 unknown miscreants, armed with deadly weapons, shouted anti-religious slogans and pelted stones over police party on account of which several police personnel sustained injuries and also damaged public property.

4. It is submitted by learned counsel appearing on behalf of the petitioners that there is general and omnibus allegation against all the accused persons. Only on the basis of suspicion these petitioners have falsely been implicated in this case . Similarly situated co-accused persons have already granted bail by this Court vide order dated 31.01.2024 in Cr. Misc. No. 2351 of 2024 .

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

6. Considering the aforesaid facts and other circumstances of the case , the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Bagaha, West Champaran, in connection with Bagaha P.S. Case No.535 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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