

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70286 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- ARIYARI District- Sheikhpura

Sajjad Kuraishi @ Sahjad Kurashi @ Sahjad, age-35 years, Gender-Male, Son of Late Jumman Kuraishi, Resident of Village - Husainabad, P.S. Ariyari, District- Sheikhpura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :
For the Petitioner : M/S. Man Mohan Kumar and Jai Shanker Prasad, Advocates.
For the Informant : M/S. Anil Kumar Singh and Ravindra Prasad Singh, Advocates
For the State : Mrs. Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Ariyari P.S. Case No. 132 of 2024 dated 08.06.2024 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 325, 448, 354B, 307, 379, 504 and 506 of the I.P.C.

3. As per the prosecution case, on 07.06.2024 at about 10.30 P.M., the petitioner and the co-accused persons are alleged to have abused and attacked the informant's house with arms. On being protest made by her, the co-accused Azad Quareshi said that if her husband testifies in F.I.R. No. 150 of 2023, they will kill him and on receiving order from him, all the



co-accused persons entered her house and attacked her family members with sword, lathi-danda and Falsa. The co-accused Azad Quareshi assaulted with sword on the head of Goru Quareshi causing head injury and the co-accused Laddan Quareshi assaulted with iron rod on the head of Karu Quareshi @ Parvez Quareshi, due to that, his right hand got broken. The co-accused, Nasim Quareshi, assaulted with iron Khanti on the head of Md. Ezaz causing head and hand injuries. The co-accused Chhotu Quareshi thrashed Naziba Khatoon by catching hold of her hairs on the ground, as a result of which, she became half-naked and when the informant came to save her, Sajjad Quareshi (petitioner) assaulted with the butt of the pistol on her head, due to which, she sustained injury and became unconscious for some time. The co-accused Sahab Quareshi and Tanveer Quareshi snatched Rs. 50,000/- from Sahid Quareshi who used to do the business of purchase and sell of animals. The co-accused Harun Quareshi and Chhunu Quareshi snatched gold chain of 1½ bhar from the neck of informant. It is further alleged that two years ago, the accused persons also attacked and injured the informant's family for which case is pending in the court. On hulla, villagers assembled there then the accused persons fled away.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The doctor has examined the informant and found the injury simple in nature, annexed as Annexure-P/2 to the present application. The petitioner is the co-villager of the informant and there is inimical terms with the informant. He has no concern with the alleged offence. The other co-accused Laddan Kuraishi has already been granted bail by a Bench of this Court vide Cr. Misc. No. 62361 of 2024 under order dated 18.09.2024. The petitioner has four criminal antecedents and in three cases, he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 09.06.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Sheikhpura in connection with



Ariyari P.S. Case No. 132 of 2024, with further conditions:-

(I) The petitioner is 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 bail bonds of the petitioner are liable to be cancelled.

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

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

