

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24987 of 2025

Arising Out of PS. Case No.-203 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

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1. Md. Mahtab @ Mahtab @ Babar Son of Baku Kuraishi Resident of Village - Kuraishi Mohalla, P.S.- Aurangabad Town (Nagar), District - Aurangabad.
 2. Md. Shabir Hussain Son of Ali Asgar Kuraishi Resident of Village - Kuraishi Mohalla, P.S.- Aurangabad Town (Nagar), District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-05-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Aurangabad Town (Nagar) P.S. Case No. 203 of 2023 dated 19.03.2023 registered u/s 147, 148, 149, 323, 325, 307, 186, 353, 504, 506, 427 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution story the Sanitation Supervisor, Nagar Parishad, Aurangabad on the instruction of Executive Officer, Nagar Parishad, Aurangabad and district administration went with the team members comprising of Junior Engineer, Park Manager, Sanitation Manager, Sanitation Supervisor, Sanitation workers, Park Guards and Gaushala Volunteer in a pick-up van to catch the stray animals roaming on the road near



Sabji Mandi at 9:30 PM on 18.03.2023 and hand them over to Gaya Gaurakshini Manpur Gaushala (Gaya) operated with the help of Gau Gyan Foundation. It is further alleged that while they were catching stray animals and loading them in the vehicle suddenly between 9:54 – 9:56 at night one Talib Qureshi called the people from Qureshi Mohalla over phone and about 40-50 people attacked on the informant's team and vehicle and the petitioner no. 2 / Md. Sabir Hussain along with Md. Imran, Md. Shamsheer @ Jumman Qureshi attacked upon the vehicle and started unloading the animals loaded on the vehicle by breaking the glass of the vehicle and when the team retorted and challenged, Talib Qureshi and Md. Raja Qureshi who were carrying country made pistol fired at the team in which they narrowly escaped and fell down. Then Md. Raja Qureshi, Md. Sabir Qureshi, Md. Arif @ Mintu Qureshi, Reyaz Qureshi, Mehtab @ Baber (petitioner no. 1) and Shamsheer Alam started beating the informant with sticks, due to which his hands were broken. It is further alleged that Mobin Qureshi, Md. Zeeshan and Md. Danish caught hold of Junior Engineer at the Sadar Hospital Gate and attacked him and started beating him where after 15-20 men came with sticks, hockey sticks, sword etc. who searched for the remaining workers while abusing them and not



finding them returned back.

4. Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and they have falsely been implicated by the police due to oblique motive. He submits that though the incident has taken place on 18.03.2023 but the F.I.R. has been lodged after one day on 19.03.2023 without any plausible explanation for the delay. He next submits that though there is allegation of firing but no cartridges have been recovered from the place of the occurrence. There is no specific allegation against the petitioners rather the allegation made against the petitioners is general and omnibus in nature. The petitioners have no criminal antecedent.

5. I have heard learned counsel for the petitioners and perused the impugned order. The petitioners are specifically named in the F.I.R. In the impugned order it has come that the informant in his re-statement in paragraph no. 2 of the case diary and witnesses in paragraph nos. 3 & 4 of the case diary have supported the prosecution case. The petitioner no. 2 attacked upon the informant and his team, broke the glass of the vehicle whereas the petitioner no. 1 assaulted the informant with 'lathi' and 'danda' due to which his hand got fracture. The petitioners along with the co-accused created unruly scene when



the sanitation team of Nagar Parishad, Aurangabd arrived to discharge their official duty. An attack on municipal authority staffs while they were doing their official work undermines the safety and security of the law enforcement agency. Incidents of mob violence against law enforcement agency have become the order of the day now in this state which can be very dangerous, often escalating tensions and compromising public safety.

6. Accordingly, I am not inclined to grant the petitioners the privilege of anticipatory bail. This application is accordingly rejected.

(Anil Kumar Sinha, J)

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