

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28493 of 2015

Arising Out of PS.Case No. -66 Year- 2013 Thana -JAHANABAD District- JEHANABAD

Safdar Mallick @ Bholu @ Bholu Mian son of Asad Mallick @ Saddu
resident of Village - Erki, Police Station - Jehanabad, District - Jehanabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Madan Jeet Kumar

For the Opposite Party : Mr. Subhash Chandra Mishra(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-10-2015 Heard the counsel for the petitioner and counsel for the
State.

The petitioner is apprehending his arrest in a case
instituted under Section 307 and other Sections of the Indian Penal
Code.

It is alleged by the informant that co-accused persons
being members of a procession with idol of goddess Sarswati
reached near mosque where the petitioner with other accused
persons started brick batting resulted in damage to the idol and
raised slogan against each other.

It has been submitted on behalf of the petitioner that
petitioner has got no criminal antecedent. Petitioner is a student of
Diploma Engineering at Hyderabad which is evidence from

Annexure-2 to the present application. Petitioner has been made accused due to mistake of fact. The other co-accused has been granted anticipatory bail by this Court vide Cr.Misc.No.34925 of 2013 and the other co-accused have been granted anticipatory bail by the court below vide ABP No.476 of 2013 and ABP No.150 of 2015.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and one of the co-accused persons have been rejected anticipatory bail by this Court.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Jehanabad in connection with Jehanabad P.S.Case No.66 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sudhir Singh, J)

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