

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38933 of 2015

Arising Out of PS.Case No. -164 Year- 2014 Thana -SAHAR District- BHOJPUR

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1. Md. Sakir Ali @ Sakir Ali S/o Tahir Ali
2. Md. Zahir Ali S/o Tahir Ali
3. Md. Tarik Anwar @ Tahif anwar @ Tarik Anwar
4. Md. Gayasuddin @ Gayasuddin S/o Dr. Jainul Haq
5. Md. Minhaj S/o Sabir Ali
6. Md. Ali Akhtar @ Ali Akhtar S/o Gani Mian
7. Md. Arsad S/o Md. Rafiq
8. Md. Sazid S/o Adib Mian All R/o Village Sahar, P.S. Sahar, District Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. P.N.Pandit(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-09-2015 Heard Sri. Ravindra Kumar, learned counsel for the

petitioners and learned A.P.P. for the State.

The petitioners are apprehending their arrest in connection with Sahar P.S. Case No. 164 of 2014 registered for the offences punishable under Sections 147, 148, 149, 307, 353, 353-A, 333, 338, 295-A, 153, 153-A, 435, 337, 379, 427, 506 and 504 of the Indian Penal Code.

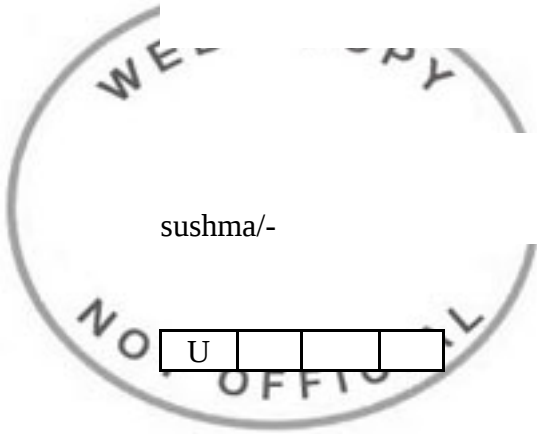
The prosecution case as alleged against the petitioners is that they were part of a mob and indulged in pelting stones and brick-bating against the police party and members of other

community. Further allegation against the petitioners is that they destroyed the articles in the shops of the market.

It has been submitted by the learned counsel for the petitioners that accusation against the petitioners is general and omnibus and it is against the mob where no one has received substantial injury. At Para-3 the petitioners have stated that they have no criminal antecedent. It has further been submitted that a coordinate Bench of this Court has already granted the privilege of anticipatory bail to similarly situated co-accused persons vide order dated 21.08.2015 passed in Criminal Misc. No. 36037 of 2015. I do not propose to take a different view on similar allegations.

Under such circumstances, let the petitioners, namely, Mr. Sakir Ali @ Sakir Ali, Md. Zabir Ali, Md. Tarik Anwar @ Tahif Anwar @ Tarik Anwar, Md. Gaysuddin @ Gaysuddin, Md. Minhaj, Md. Ali Akhtar @ Ali Akhtar, Md. Arsad and Md. Sazid in the event of their arrest or surrender within a period of four weeks from today before the learned court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Sahar P.S. Case No. 164 of 2014, subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



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(Nilu Agrawal, J)