

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38679 of 2015

Arising Out of PS.Case No. -135 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD

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Munna Naushad @ Munna Alam @ Naushad Alam son of Rafique Alam @
Rasid Quraishi, resident of village/ Mohalla- Pirahibag, Police Station-
Daudnagar, District- Aurangabad Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

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12-02-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Daudnagar P.S. Case No. 135 of 2015, disclosing offences under Sections 147, 148, 149, 332, 333 and 307 of the Indian Penal Code and 27 of Arms Act.

From the materials on record, it transpires that for an occurrence which had taken place on 17.05.2015, two First Information Reports were instituted, namely, Daudnagar P.S. Case No. 134 of 2015 and Daudnagar P.S.Case No. 135 of 2015. It seems that there was clash between persons belonging to two religious groups, which had led to death of a person belonging to one of the communities for which Daudnagar P.S. Case No. 134 of 2015 was registered.

It is submitted on behalf of the petitioner that the implication of the petitioner and other 18 persons is a counter-blast to the earlier case instituted by one Nazir Quraishi. Learned

counsel appearing on behalf of the petitioner also submits that the allegation against the present petitioner is general and omnibus and no specific allegation has been made against him. It has further been submitted that the petitioner has no criminal antecedent.

Considering the facts and circumstances and nature of accusation, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Daudnagar in connection with Daudnagar P.S. Case No. 135 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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