

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46836 of 2015

Arising Out of PS.Case No. -119 Year- 2015 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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Md. Allauddin, S/o Late Rustam Islam, Resident of Village- Chaman
Khaira, P.S. Chabilapur, District Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 28-01-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Rajgir P.S. Case No.119 of 2015 registered under Sections 147, 148,
149, 332, 353, 307, 427, 435 and 333 of the Indian Penal Code
besides Section 27 of the Arms Act and Sections 3/4 of the
Prevention of Damage to the Public Property Act.

The prosecution case is that about 400-500 persons forming
an unlawful assembly surrounded the police station and pelted stones
as a result whereof many persons of the police party sustained
injuries. Amongst the mob, someone fired at the police party
causing gun shot injury to the police personnels. At the spot 17

persons, whose details are mentioned in the F.I.R., were apprehended while 18 persons including the petitioner being the members of an unlawful assembly were identified at that time by the police.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the name of the petitioner alongwith 17 others has come being the member of an unlawful assembly without attributing any overt act. Further submission is that the similarly situated co-accused Md. Imam alias Md. Inam and some others have already been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 06.11.2015 passed in Criminal Misc. No.52243 of 2015.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within four weeks, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Rajgir P.S. Case No.119 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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