

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9652 of 2016

Arising Out of PS.Case No. -151 Year- 2015 Thana -BUDDHACOLONY District- PATNA

1. Md. Chand Son of Md. Khurshid
2. Md. Shamsad Son of Md. Sarfu Mian
3. Md. Shahrukh son of Md. Khurshid
4. Md. Tipoo @ Tipu Son of Md. Shamim All are resident of Village -Durja Ghat, Police Station Budha Colony, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Veena Kumari Jaiswal (App)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 12-04-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Budha Colony P.S. Case No. 151 of 2015 registered under Sections 147, 148, 149, 323, 353, 307, 153(A), 153, 504, 506, 337 and 283 of the Indian Penal Code and section 27 of the Arms Act.

The Prosecution case is that on 03.07.2015 at about 3:00 pm. the Police received information that 30-40 persons came at Dujra Imambara and claiming possession over the land. When the Police reached there, the mob started to stone pelting on the Police Officials and creating disturbance the communal harmony. At that time, 31 persons, including

the petitioners were identified there while 70-80 persons also present there.

Submission is that petitioners are named in the F.I.R. but there is no overt act attributed against the petitioners. Further submission of learned counsel for the petitioners is that similarly situated co-accused Md. Kallu, Md. Naushad Ali and Shahud Alam have already been allowed anticipatory bail by a Bench of this Court vide Cr. Misc. No. 2550 of 2016 on 18.01.2016.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Patna in connection with Budha Colony P.S. Case No. 151 of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

Shail/-

U		T	
---	--	---	--