

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50050 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -MARKAHI District- KHAGARIA

- =====
1. Md. Neyaz, S/o Abdul Rub,
 2. Md. Naushad S/o Late Fajal Karim, Both are R/o Village- Marar, P.S.- Morkahi, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raj Nandan Prasad

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Morkahi P.S. Case No.103 of 2016 registered under Sections 188, 153(A) and 504/34 of the Indian Penal Code.

Allegation is that all accused persons were raising slogan against the other community creating communal tension.

Learned counsel for the petitioners submits that there is no specific allegation that what slogan was raised by the petitioners causing hurt to religious feelings to other side. Moreover eight other named co-accused were admitted to anticipatory bail by a coordinate Bench of this Court vide Cr. Misc. No.46492 of 2017 on 22.09.2017.

Since petitioner no.2 has got criminal antecedents,



therefore, his prayer of bail stands rejected in connection with Morkahi P.S. Case No.103 of 2016, pending in the court of learned S.D.J.M., Khagaria. However, petitioner no.2 may surrender and seek regular bail.

As far as petitioner no.1 is concerned, since he has got no criminal antecedent, let petitioner no.1, namely, Md. Neyaz in the event of arrest or surrender before the court below within four weeks from today, 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 S.D.J.M., Khagaria in connection with Morkahi P.S. Case No.103 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

The anticipatory bail application stands disposed of.

(Arun Kumar, J.)

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