

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43887 of 2017

Arising Out of PS.Case No. -300 Year- 2017 Thana -LAHERI District- NALANDA
(BIHARSHARIFF)

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1. MD. SARFARAZ AHMAD KHAN @ SARFARAZ AHMAD KHAN
Son of Late Md. Safirul, R/o Mohalla- Kantaper, P.S.- Laheri, District-
Nalanda at Biharsharif.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Fakhruddin Ali Ahmad

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 03-10-2017

Heard both sides.

The petitioner apprehends his arrest in Laheri P.S. case No. 300 of 2017 for the offences punishable under Section 295A, 307, 353 and other Sections of the Indian Penal Code, under Section 27 of Arms Act and under Section 3 of Prevention of Damage to Public Property Act.

The informant named the petitioner along with other accused persons and alleged that when the informant informed the members of the mob that administration is not giving permission to take out procession the members of the mob became infuriated and started pelting stones. It is further alleged that members of the mob exploded bombs causing injury to one of the A.S.I. of police.



The learned counsel for the petitioner submits that petitioner is an advocate. The petitioner has falsely been implicated in the case although he did not participate in the procession. Similarly situated accused Iqbalu Jafar, advocate of civil court, was granted bail by the learned Sessions Judge.

Considering the facts that, of course, petitioner is named in the FIR but no specific allegation is made against him and it is submitted that petitioner is an advocate, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged 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 Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Laheri P.S. case No. 300 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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