

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50033 of 2017

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

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Aftab Hasan Shams, S/o Late Syed Shah Ijtaba Hasan, R/o Mohalla- Daira,
P.S.- Bihar, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Obaidur Rahman

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 17-10-2017 Heard learned counsels for the petitioner and the

State.

The petitioner apprehends his arrest in connection with Laheri P. S. Case No. 300 of 2017 instituted under Sections 147, 148, 149, 188, 323, 307, 337, 338, 332, 353, 427, 503, 153(A), 259(A) and 120B of the Indian Penal Code and 27 of the Arms Act as well as 3 and 4 of the Explosive Substance Act and 3 of the Public Property Act.

Allegation is that petitioner was a member of an unruly mob and despite ban on the procession, participated in it and pelted stone, brick bats and bomb.

Learned counsel for the petitioner submits that there is general and omnibus allegation against everyone and the fact remains that no one has injured and other similarly situated co-



accused persons, namely, Md. Sarfaraz Ahmad Khan and Md. Shamim, have been admitted to anticipatory bail by a co-ordinate Bench of this Court by order dated 03.10.2017 and 09.10.2017 passed in Cr. Misc. No. 43887 of 2017 and Cr. Misc. No. 45771 of 2017 respectively and the case of the petitioner stands on similar footing and he has got no criminal antecedent.

Having considered the aforesaid facts and circumstances, let the petitioner, namely, Aftab Shams, in the event of arrest or surrender before the court below within four weeks from today, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Biharsharif, Nalanda in connection with Laheri P.S.Case No. 300 of 2017; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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