

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61669 of 2017

Arising Out of PS. Case No.-217 Year-2016 Thana- SUGAULI District- East Champaran

Saddam @ Sadam, S/o- Harun @ Harun Rai @ Harun Juma Rai, R/o-
Village- Rai Tola, P.S.- Sugauli, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-12-2017 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 333, 353, 152, 153A, 295A, 296, 298, 435, 436, 427, 395, 504 and 509 of the IPC, Section 27 of the Arms Act and Sections 3, 4 and 5 of the Explosive Substance Act.

The prosecution case, as per the written report of Raman Sinha, the BDO of Sugauli Block, submitted by the Officer in Charge, Sugauli Police Station is to the effect that the informant was deputed as Magistrate, on the occasion of immersion of idol of goddess Durga at Kasai Patti, in the meantime, some bricks were pelted on the procession from the roof of the nearby



houses and a petrol bomb was hurled from the roof of co-accused Muna Ansari, which resulted into pelting of stones from both sides, leading to damage of several vehicles and subsequently, the mob set several hutments and shops on fire, leading to registration of FIR against 200 persons including the petitioner.

It is submitted by learned counsel for the petitioner that though, the petitioner has been named in the FIR, but his parental address has not been given. There are five persons in the same village having similar name as that of the petitioner, namely Saddam.

It is further submitted that co-accused Avinash Ojha has been granted privilege of anticipatory bail by a co-ordinate Bench of this Court, vide Cr. Misc. No. 45826 of 2017. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the accusation against the petitioner being general and omnibus, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of



learned Sugauli P.S. Case No. 217 of 2016 in connection with
Chief Judicial Magistrate, East Champaran at Motihari, subject
to the condition as laid down under Section 438(2) of the Cr.
P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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