

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56132 of 2017

Arising Out of PS.Case No. -517 Year- 2017 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

- =====
1. Firoz Ali @ Firoz Irani, son of Sajjad Ali alias Banarsi, resident of Mehendi Hasan Chowk, Brahampura, P.S.- Brahampura, District- Muzaffarpur.
 2. Shabbir Abbas, son of Ghulam Abbas, resident of Ali Mirza Road, Nai Bazar, P.S. Town, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar, Advocate.

For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-11-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Town P.S.**
Case No. 517 of 2017 instituted for the offence under Sections
147, 148, 149, 506, 327 and 342 of the Indian Penal Code.

It is alleged in the written report lodged by Mutawalli
of permanent Shia Waqf Estate that on last Friday, one Maulana
Kazim Shabib announced of taking possession of the shops
belonging to the Waqf Estate and information to this effect was
also sent to the police. On 12.7.2017, the said Maulana Md.
Kazim Shabib along with 50-60 anti social elements came to the
rented shops of the informant and threatened the renters to make



payment of the rent to him, failing which, the shops will be locked. However, due to intervention of the police, no untoward incident took place. It is further alleged that on 21.7.2017, the said Maulana Md. Kazim Shabib along with 200 anti social elements as named in the written report armed with various weapons came to the shops of the informant, including the petitioners.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. There is general and omnibus allegation against the petitioners.

It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Town P.S. Case No. 517 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Muzaffarpur**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on



each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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