

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38579 of 2017

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

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Md. Aftab, son of Md. Fahim, resident of Mohalla - Thabai, 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. Raj Kishor Prasad, Advocate.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is seeking regular bail in Laheri P.S.
Case No. 300 of 2017 registered under Sections 147, 148, 149,
323, 307, 337, 338, 332, 353, 427, 503, 153A, 295A, 188, 120B of
the Indian Penal Code read with Section 27 of the Arms Act and
Sections 3/4 of the Explosive Substances Act as also Section 3 of
the Public Property Act.

A perusal of the First Information Report would show
that there are general allegations against 78 named and 500
unnamed persons. It is alleged that the petitioner is one of the
members of the unlawful assembly which have indulged in
throwing bricks and stones on the police party. It is also alleged



that the unruly mob have fired and also hurled bombs on the police party and they tried to create a law and order problem.

Learned counsel for the petitioner submits that so far as the present petitioner is concerned, he resides nearby the place of occurrence and was arrested even though there is no specific allegation against him of committing any overt act. Learned counsel further submits that the co-accused, namely, Md. Sahwaj Alam and three others have already been released on bail by the court of learned Sessions Judge, Nalanda in Bail Petition No. 836/17.

Learned A.P.P. for the State though opposed the prayer for bail but nothing could be brought to the notice of the Court to show any active participation of this petitioner.

In the facts and circumstances, let the petitioner, namely, Md. Aftab, be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.–I, Biharsharif, Nalanda in connection with Laheri P.S. Case No. 300 of 2017, subject to the conditions as laid down under Section 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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