

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54083 of 2017

Arising Out of PS.Case No. -145 Year- 2017 Thana -PRANPUR District- KATIHAR

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1. Abdul Kalam @ Sk. Abdul Kalam, Son of Md. Hakim, Resident of
Village- Maniknagar, P.S.- Pranpur, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bidhan Chandra Jha

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Pranpur (Rosna) P.S.
Case No. 145 of 2017 instituted for the offence under Sections-307,
326, 379 & other minor Sections of the Indian Penal Code.

It is alleged in the written report that on the date of
occurrence, this petitioner along with 500 unknown persons armed with
weapon arrived at the police station and raised slogan against the
administration and also damaged the vehicle parked in the premises of
Police Station. They assaulted the informant and other police officials.

From the written report, it appears that there is no any
specific allegation of overt act against this petitioner. There is general
and omnibus allegation against the petitioner.

It has been submitted that in fact, persons had gathered on
the place of occurrence, who were flood affected people and they were



raising slogan for getting relief. The petitioner was only member of that assembly. There is no allegation against this petitioner of causing any injury to the members of prosecution party.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Pranpur (Rosna) P.S. Case No. 145 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Katihar subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner 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 petitioner and (3) if petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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