

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3948 of 2017

Arising Out of PS.Case No. -155 Year- 2016 Thana -BARUN District- AURANGABAD

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1. Md. Sakeel Ansari, S/o Late Aleemuddin Ansari,
 2. Mahboob Alam, S/o Baddruddin Ansari, Both are residents of village-Jogiya, P.S.-Barun, District-Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 17-02-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Barun P.S. Case No. 155 of 2016 for the offences punishable under sections 147, 148, 149, 152, 160, 295, 295 (A), 323, 324, 307, 353 and 427 of the I.P.C.

Allegedly, Muharram procession was going and about 200 persons were going with lathi, danda, sword and spear and when the procession reached near Durga Asthan Jogia the persons started playing and making religious slogans which were objected by the persons of the Hindu community. The police appealed to the persons of both the communities to maintain peace but they did not hear and started brick batting and quarreling. From the house of Dilkeshwar Mahto and Hamid Ansari brick batting was



done, resulting females were also injured and thereafter 20 persons were arrested and the petitioners were also identified.

Submission is of false implication and that the petitioners were not present at the time of occurrence, they have been made unnecessarily accused, how they have been identified is not stated in the First Information Report, however peace has been restored between the two communities, the arrested persons have already been allowed bail and as such the petitioners also deserve sympathetic consideration.

The learned A.P.P. fairly submits that there is no specific allegation against the petitioners.

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Aurangabad in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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