

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3893 of 2017

Arising Out of PS.Case No. -398 Year- 2016 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. Sonu Beg Son of Md. Alamgir
2. Serazuddin Beg, Son of Lukmaan Beg
3. Gyasuddin Beg, Son of Lukmaan Beg
4. Bhutariya Son of Azim Beg
5. Wassim Beg, Son of Mirza Tufail Beg
6. Ekra Beg Son of Mirza Aslam Beg, All are resident of village- Bhalpatti,
P.S.- Sadar (Bhalpatti O.P), District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-02-2017 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 Darbhanga Sadar P.S. Case No. 398 of 2016 registered for the offences punishable under sections 147, 148, 149, 341, 323, 295, 295(A), 427, 504 and 506 of the Indian Penal Code.

Allegedly the petitioners being the members of Moharram procession, diverted its traditional route, came through the way of temple, created some disruption, committed mischief



and assaulted the shop owner situated there and further after entering into the temple, broke Jafri of the Mandir and caused damage to the temple.

Submission is of false implication and that there is no specific allegation against the petitioners. The allegations are omnibus and general in nature. Two F.I.Rs. have been lodged for the same occurrence, other has been lodged by Police Officer whereas the petitioners are not named as accused, they have committed no overt act, they have got clean antecedent except petitioner no. 1, who was made an accused in Sadar P.S. Case No. 89 of 2014 wherein he has been acquitted in the court below and as such, petitioners deserve sympathetic consideration.

The learned A.P.P. opposed the prayer of bail.

In the facts and circumstances as stated above, considering that there is a general and omnibus allegation and as such, the petitioners, above named, 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 execution of bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Sadar P.S. Case No. 398 of 2016, subject to the conditions as laid down in



section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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