

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4625 of 2017

Arising Out of PS.Case No. -218 Year- 2016 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Salim Ansari @ Salam Mian, S/o- Rasid Ansari.
2. Aftab Mian @ Aftab Ansari @ Aftab Alam, S/o- Ayub Ansari.
3. Sahid Afridi, S/o- Md. Sabir.
4. Md. Neyaz @ Md. Nezam Ansari, S/o- Rasid Ansari.
5. Md. Rizwan @ Md. Reyaz, S/o- Mahmood Alam.
6. Abdul Kadir, S/o- Rasid Ansari.
All are Resident of Village- Amir Khan Tola, P.S.- Sugauli, District- East
Champaran. Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anshuman Singh, Advocate
Mr. Ramakant Yadav

For the Opposite Party/s : Mr. Madhura Nand Jha, APP-102

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 17-03-2017 Heard learned counsel for the petitioners and learned counsel
representing the State.

Petitioners no. 1, 3 to 6 seek bail in connection with Sugauli
P.S. Case No. 218 of 2016 registered for the offences punishable under
Sections 147, 148, 149, 323, 307, 353, 1898, 295(A), 504, 506 of the
Indian Penal Code and Sections 3 / 4 of Explosive Substance Act.

Allegedly, there was scuffle between the two communities at the
time of Durga Puja for emersion of idol of Goddess Durga. During said
scuffle the miscreants attacked on the Media persons and Police
personnel and about 500 persons were in attacking mood, out of them
31 persons were arrested including the petitioners.

Submission is that the Police lodged the cases against the



members of both the communities, now there is peace in the society, the petitioners have got clean antecedent and as such they deserve sympathetic consideration as other similarly situated co-accused have been allowed bail by the different Benches of this Court and co-accused Jahruddin has been allowed bail by this Court.

Learned APP fairly submits that other similarly situated co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioners no. 1, 3 to 6 are directed to 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 learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Sugauli P.S. Case No. 218 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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