

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.380 of 2017

Arising Out of PS.Case No. -28 Year- 2016 Thana -DARAUNDHA District- SIWAN

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Aftab Ali @ Aftab Alam son of Md. Rashid, resident of village Kothua
Sarang, P.S. Daraunda, District Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 148, 149, 341, 323, 337, 338, 153(A), 427, 120B of the Indian Penal Code and ¾ of the Explosive Substance Act.

The prosecution case, in brief, is that on the alleged date and time of occurrence a programme was going on for immersion of Goddess Saraswati, in the meantime the accused persons including the petitioner and 50-60 unknown persons came with sword, spears and bombs and prevented them for immersion. Thereafter the accused persons assaulted several persons, due to which they sustained injuries.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no specific allegation against the petitioner nor there is any substantive evidence to suggest his implication in the present case. It is a case and counter case between the parties.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VIII, Siwan in connection with Daraunda P.S. case No.28 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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