

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45771 of 2017

Arising Out of PS.Case No. -300 Year- 2017 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

=====

1. Md. Shamim @ Md. Shamim Akhtar Son of Md. Wasimuddin, R/o
Mohalla- Khasganj, P.S.- Sohsarai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Dr.Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-10-2017 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending their arrest in a case registered under Sections 141, 148, 149, 323, 307, 337, 338, 332, 353, 427, 503, 153(A), 295(A), 188, 120(B) of the Indian Penal Code.

As per written report, 83 named accused persons along with 500 unknown persons formed unlawful assembly with an intention to disturb communal harmony. The petitioner was also a member of unlawful assembly. The mob started shouting communal slogan and started pelting brick bats and exploded bomb. The police party sustained injuries. There is general and omnibus allegation against the petitioner. There is no criminal antecedent against the petitioner.



Considering the aforesaid facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. Let the above named petitioner, in the event of his arrest/surrender in the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Bihar Sharif, Nalanda in Laheri P.S. Case No. 300/2017, subject to the conditions as laid down u/s 438(2) 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 bonds of the petitioner and (3) if petitioner tampers with the evidence or with 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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