

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29322 of 2018

Arising Out of PS. Case No.-93 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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Israr Ahmad @ Malik S/o Late Najir Ahmad, R/o Munshi Muhalla (Ward No. 7), P.S.- Aurangabad (T), District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Anant Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Aurangabad (Town) P.S. Case No. 93 of 2018 registered for the offences punishable under Sections 147, 149, 504, 337, 427, 307, 160, 295(A), 353 of the Indian Penal Code.

Allegedly, on the occasion of Ramnavmi festival procession was moving through the town and while passing through a particular area, members belonging to another community started throwing bricks bats causing injury to some persons and made attempt to create communal tension and also obstructed officials in discharge of their duties.

Submission is of false implication and that 200 persons have been made accused in this case but no specific



allegation for committing overt act. The petitioner is patient of T.B. and he is unable to move, he is suffering in custody since 27.03.2018 whereas other co-accused Md. Jawed Ahmad @ Md. Javed, Akhtar Ali, Nuurul Hasan @ Munna and Md. Khurshid have also been allowed bail by different benches of this court and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. fairly submits that the aforesaid accused persons have been allowed bail.

In the facts and circumstances stated above, the petitioner is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad (Town) P.S. Case No. 93 of 2018, 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 petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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