

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35527 of 2018**

Arising Out of PS.Case No. -307 Year- 2017 Thana -JOKIHAT District- ARRARIA

- =====
1. Shamim son of Nayeem
  2. Awesh son of Md. Khalil
  3. Shamim son Mainuddin
  4. Feku son of Yunus
  5. Rais son of Najbul
  6. Abus @ Abusama son of Ibrahim
  7. Manzar son of Salimuddin
  8. Amin son of Jamiluddin
  9. Bhutkun son of Yunus

All are residents of village - Vebhra, P.S. -Jokihat, Dist - Araria.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Rajeev Nayan, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      29-06-2018                      Heard learned counsel for the petitioners and learned  
counsel for the State.

The petitioners seek pre-arrest bail in connection with  
Jokihat P.S. Case No.307 of 2017 registered under Sections 144,  
188, 283, 290, 447, 323, 353, 153A, 153B, 295A, 307, 427, 504  
and 120B of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners  
that the case of the petitioners stands on better footing than that of  
Shams Rabbani, who has been granted pre-arrest bail by a Bench



of this Court vide order dated 01.02.2018 passed in Cr. Misc. No.4415 of 2018. The petitioners are not named in the FIR and merely on account of suspicion the police are searching them.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioners. He submitted that the allegations in the FIR is that seventeen named accused persons as well as about two hundred unnamed accused persons entered into the temple premises and created disturbance for the general people while taking out procession for Muharram.

Be that as it may, since named co-accused Shams Rabbani has already been granted pre-arrest bail by this Court, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing 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, Araria in connection with Jokihat P.S. Case No.307 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Ashwani Kumar Singh, J)**

Md.S./-

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