

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48585 of 2018

Arising Out of PS. Case No.-117 Year-2017 Thana- PHULWARIA District- Begusarai

-
1. Md. Raffan, S/o Md. Jamal,
 2. Md. Gulab S/o Md. Farooque,
 3. Md. Zeyaul Haque @ Md. Zeyaul S/o Md. Abdul Jabbar @
Jabbar @ Md. Babul, All R/o Vill.- Baro, Bakho Tola, P.S.-
Phulwaria, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Phulwaria P.S. case
no. 117 of 2017 instituted for the offence under Section(s) 147,
148, 149, 153(A), 353(A), 295A, 332, 327, 337 and 427 of the
Indian Penal Code and Section 3 of Explosive Substance Act.

It is submitted that there is general and omnibus
allegation against these petitioners.

In the written report, it is alleged that on the occasion of
Muharram informant with other police party were on duty. It is
further alleged that when the procession reached ahead of
Kirana store of Navin Kumar at Quadrichak 400-500 persons



who were in procession were giving provocative speech promoting communal disharmony and caused obstruction in duty to the police officials.

From the written report itself it appears that there is general and omnibus allegation against these petitioner.

Learned counsel for the State submits that petitioner no.3 is named in the FIR whereas petitioner nos. 1 and 2 are not named in the FIR. Their name has transpired during course of investigation.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Phulwaria P.S. case no. 117 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the J.M 1st Class, Begusarai, subject to the conditions as laid down under Section 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) petitioners 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 bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

shyambihari/-

U		T	
---	--	---	--

