

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.70540 of 2018**

Arising Out of PS. Case No.-19 Year-2018 Thana- SITAMARHI District- Sitamarhi

Shadab Ahmad Khan son of Late Mateen Ahmad Khan @ Mahtib Ahmad Khan, Resident of Mehasul Chawk, Dumrabad, Police Station-Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajiv Ranjan, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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

2      21-12-2018                      Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Sitamarhi (Mehsaul O.P) P.S. Case No.19 of 2018 registered for the offences punishable under Sections 353, 341, 504, 506 and 188 of the Indian Penal Code.

It is contended by the learned counsel for the petitioner that it is a gross case of high-handedness of the police in which the petitioner, who is absolutely innocent, has been made accused. The only allegation against him in the first information report is that the petitioner misbehaved with the informant, who is a constable while he asked him to drive his motorcycle in proper manner.

The contention of the petitioner is that it was the



informant who was rashly driving his motorcycle and when the petitioner asked him to drive the motorcycle properly, he abused and misbehaved with him and taking advantage of being a police personnel, instituted an FIR against him.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of six weeks, the petitioner, who is reported to be a man of clean antecedent, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi (Mehsaul O.P.) P.S. Case No.19 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Ashwani Kumar Singh, J.)**

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