IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13589 of 2018

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

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1. Md. Nasim, son of Md. Ahmad, Resident of Village Baro, Kadir Chak, P.S.- Phulwaria District- Begusarai.
2. Md. Sultan @ Md. Sultan Alam, Son of Md. Tamizuddin @ Md. Taziuddin, Resident of Village- Bari Baro, P.S. Barauni, District- Begusarai.
3. Md. Munna, Son of Allauddin, Resident of Village Baro, Naya Tola, P.S. Phulwaria, District- Begusarai.
4. Md. Irshad, Son of Md. Naseem, Resident of Village Baro, Kadir Chak, P.S.- Phulwaria District- Begusarai.
5. Md. Rashid Alam @ Md. Rashid, son of Md. Parwez Alam @ Md. Parwez, resident of Village Baro, Kadir Chak, P.S. Phulwaria, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sandip Kumar Gautam
For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-04-2018 The petitioners are apprehending their arrest in connection with Phulwaria P.S. Case No. 117 of 2017, registered for offences punishable under Sections 147, 148, 149, 153(A), 353 (A), 295(A), 332, 327, 337, 427 of Indian Penal Code and also under Section 3/4 of Explosive Substance Act.

Allegation against the petitioners that they along with others armed with various weapons during the Muharram procession were raising slogans against the different community and they damaged the house and paralyzed the traffic and they also used explosives in front of house and shop of Dayananad Poddar and Brajesh Kumar. They also pelted bricks on the house

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of Dhaneshwar Thakur and damaged the tea shop of one Ashok Yadav and obstructed the police party in discharge of their official duties.

It has been submitted on behalf of the petitioners that in this case more than 47 named and 500 unknown persons have been made accused and no specific allegation has been levelled against these petitioners and other co-accused persons of this case have already been granted the privilege of anticipatory bail by coordinate Benches of this Court vide order dated 15.01.2018, passed in Cr.Misc. No. 1535 of 2018, vide order dated 16.01.2018, passed in Cr. Misc. No. 1989 of 2018, vide order dated 17.01.2018 passed in Cr. Misc. No. 2404 of 2018, vide order dated 06.02.2018, passed in Cr. Misc. No. 4794 of 2018 and vide order dated 01.02.2018 passed in Cr. Misc. No. 4957 of 2018.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts as well as in view of the fact that other co-accused has already been granted the privilege of anticipatory bail by different Benches of this Court, as such, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class,

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Begusarai, in connection with Phulwaria P.S. Case No. 117 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

(i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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