

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13241 of 2018

Arising Out of PS.Case No. -233 Year- 2017 Thana -GOPALPUR District- BHAGALPUR

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1. Md. Aslam, S/o Md. Jinnat ,
2. Md. Aasin, S/o Md. Jinnat,
3. Md. Manowar Sultan @ Md. Manowar S/o Kamruddin,
4. Md. Idrish S/o Jinnat Miyan,
5. Md. Mojim Ali @ Md. Mojim @ Md. Majim Ali, S/o Late Sultan Ali,
All are R/o Village- Western Tola, Sadhuwa, P.S.- Rangra, District-
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Gopalpur (Rangra) P.S.Case no.233 of 2017 , registered for offences punishable under Sections 341, 323, 188, 353, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioners and several other persons is of creating disturbance in *Muharram* procession.

Submission of the learned counsel for the petitioners is that they have been named in the FIR but no specific overtact has been made against them rather 27 other persons have also been named along with them.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Illrd, Naugachia, District Bhagalpur in connection with Gopalpur (Rangra) P.S.Case no.233 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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