IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26807 of 2018
Arising Out of PS. Case No.-742 Year-2017 Thana- FORBESGANJ District- Araria

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Md. Abu Kauf @ Abu Kauf @ Abbu Kuf, S/o- Late Md. Asimuddin @ Late Hasim @ Md. Asim, resident of Village- Pothia, P.S. Simraha, District- Araria.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Md. Naushad Uzzoha
For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Forbesganj (Simraha) P.S. Case No. 742 of 2017 (G.R. No. 3119 of 2017) registered for offences under sections 147, 149, 341, 342, 353, 506, 189 of the Indian Penal Code.

For the same incident, two F.I.Rs. have been instituted, one by the private person bearing Forbesganj (Simraha) P.S. Case No. 743 of 2017 and another by the police itself having been registered as Forbesganj (Simraha) P.S. Case No. 742 of 2017, the present case.

As per First Information Report lodged by the Police itself i.e. the present case, the Informant on receipt of information regarding an accident, he along with other policy party rushed at the place of occurrence where 100 to 150 people were gathered and blocked the road but, the Informant tried to handle the situation

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peacefully, whereupon, the accused petitioner along with others created objection in discharging the official duty.

There is no specific allegation against the present petitioner.

Looking to the entire facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj (Simraha) P.S. Case No. 742 of 2017 (G.R. No. 3119 of 2017), subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been cancelled.

If it will be found that the petitioners are involved in such incident in future, the privilege of anticipatory bail will be treated to have been withdrawn.

(Shivaji Pandey, J)

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