

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1473 of 2018

Arising Out of PS. Case No.-171 Year-2017 Thana- KAUAKOL District- Nawada

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1. Firoz Khan, Son of Mustafa Khan
 2. Aforz Khan, Son of Mustafa Khan
 3. Faiyaz Khan, Son of Late Hasan Khan
 4. Afroz Khan, Son of Allauddin Khan
 5. Kalam Ansari, Son of Late Israel Ansari, All Resident of Village- Bhaluwahi, P.S.- Kawakole, District- Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar
For the Opposite Party/s : Mr. SRI DILIP KUMAR

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 153A, 307, 323, 337, 341, 353, 379, 427 and 436 of the IPC.

The prosecution case is that during Muharram procession, the persons from Hindu Community and the Muslim Community clashed with each other and damaged and robbed the articles from the shops belonging to anti-community and set the same on fire, leading the registration of FIR on the basis of pictures in the videography.

It is submitted by learned counsel for the petitioners that due to presence of the petitioners in the procession, they were



named in the FIR. The FIR was lodged against 21 named and 15 to 20 unknown persons. The accusation is not specific against the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent. Moreover, none have received any injury.

Considering the nature of accusation against the mob, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-IV, Nawada in connection with Kauakole P.S. Case No. 171 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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