

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24944 of 2018

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

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1. Md. Hussain, Son of Md. Firdaus.
2. Md. Wadood, Son of Md. Wakil.
3. Md. Irshad, Son of Md. Mahfooz.
4. Md. Fahim @ Fahim, Son of Md. Aslam.

All resident of Village- Baro, P.S. Phulwaria, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate
For the Opposite Party/s : Mr. Chandrasen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-05-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Phulwaria P.S.**

Case No. 117 of 2017 instituted for the offence under Sections 147, 148, 149, 153(A), 295(A), 332, 327, 337, 427 of the Indian Penal Code and Section 3/4 of Explosive Substance Act.

Learned counsel for the petitioners has submitted that petitioners are named in the First Information Report as members of unlawful assembly. There is general and omnibus allegation in the written report that during Muharram procession, the Processionist started raising slogans against Hindu community and also began to damage the house and paralyzed the traffic. It has further been submitted that co-accused Md. Suleman Akhtar @ Md. Kaifi @ Suleman Akhtar Kaifi has been granted anticipatory bail by a



coordinate Bench of this Court vide order dated 15.01.2018 passed in Cr. Misc. 1535 of 2018.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Phulwaria P.S. Case No. 117 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Judicial Magistrate 1st Class, Begusagai**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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