

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29411 of 2018

Arising Out of PS. Case No.-93 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

Hisamul Haque @ Laddan S/o Enamul Haque, R/o Mohalla- Munshi
Mohalla, Nawadih, P.S.- Aurangabad (T), District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh
For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Aurangabad (T) P.S Case No. 93 of 2018 registered for the
offences punishable under Sections 147, 149, 504, 337, 427,
307, 160, 295(A), 353 of the Indian Penal Code.

Allegedly, on the occasion of Ram Navami
festival procession was moving through the town and while
passing through a particular area, members belongings to
another religious community started throwing bricks and small
stones causing injury to some persons and made attempt to
create communal tension and also obstructed officials in
discharging of their duties.



Submission is of false implication and that 200 persons have been made accused in this case out of which 28 are named but there is no specific allegation for committing overt act. The petitioner has got no criminal antecedent and without any fault he is suffering in custody since 27.03.2018. Several other similarly situated co-accused have been allowed bail vide Criminal Miscellaneous No. 28902 of 2018 and further co-accused Akhtar Ali has also been allowed bail vide Cr. Misc. No. 27867 of 2018 by another co-ordinate Bench of this Court and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. fairly submits that other similarly situated co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad (T) P.S. Case No. 93 of 2018, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the



default on two consecutive dates on his part without any reason
shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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