

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33595 of 2018

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

=====

Md. Sultan S/o Md. Suleman, R/o Vill.- Baro, Rampur Naya Tola, P.S.-
Baraul, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Matloob Rab, A.P.P

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 07-06-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in connection with
Phulwaria P.S. Case No. 117 of 2017, registered for the offences
punishable under Sections 147, 148, 149, 153(A), 353(A), 295(A),
332, 327, 337, 427 of the Indian Penal Code and Section 3/4 of
Explosive Substance Act.

The informant, Vivek Bharti, police officer, alleged
that when the procession reached ahead of Kirana store of Navin
Kumar at Quadrichak 400-500 persons who were in procession
armed with deadly weapons were present at place of occurrence.
The procession was of local persons and they were giving
provocative speech promoting enmity between different classes,



insulting the religion of particular community voluntarily causing hurt to deter public servant from his duty. When the police party requested to mob to stop the same but the mob did not accept the request and procession armed with weapon reached at Phulo Chowk near the house of Dayanand Poddar and damaged his shop and exploded a bomb over his house.

The learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that the entire allegation of abuse, assault and making a objectionable religions speech is general and omnibus in nature. The entire allegation has been leveled against 47 F.I.R. named persons including petitioner and against 500 unknown persons. Nothing specific allegation of abuse, assault, making an objectionable religious speech has been alleged against any of the persons including petitioner by the informant. Moreover, similarly situated co-accused persons have been granted bail by this Hon'ble Court vide order as contained in Anx. 3 (series).

Considering the facts and circumstances of the case, let the petitioners above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (ten thousand) with two



sureties of the like amount each to the satisfaction of learned
Judicial Magistrate, Ist Class, Begusarai in connection with
Phulwaria P.S. Case No. 117 of 2017, subject to conditions as laid
down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

Ved/Rajeev/-
N.H./-

U		T	
---	--	---	--

