

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49375 of 2018

Arising Out of PS.Case No. -187 Year- 2018 Thana -PURNEA SADAR District- PURNIA

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1. Md. Shamim Alam @ Shamim Akhtar, Son of Hafu Alam,
2. Abdul Kalam, Son of Sulema,
3. Parwez Alam, Son of Mansoor Alam,
4. Md. Farooque, Son of Nurul Haque,
5. Md. Israil alias Israil, Son of Zahur Alam,
6. Afzal Hussain @ Md. Afzal Hussain, Son of Maqbool,
7. Zakir Hussain, Son of Shamsul Haque,
8. Noor Mohammad alias Nurul Haque, Son of Mansoor, All residents of Village- Raziganj Fasiya, P.S.- Mufassil, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Mojibur Rahman, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-08-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with Sadar (Mufassil) P.S. Case No. 187 of 2018, registered for offences punishable under Sections 147, 149, 379, 511, 295 (A) and 504 of the Indian Penal Code.

As per F.I.R., allegation against the petitioners is of creating communal violence due to the reasons that all the petitioners along with other persons thrown the chopped head and meat of the cow in front of the house of the informant.

Submission of the learned counsel for the petitioners is



that the petitioners have been falsely implicated in this case and the present case is only counter blast of the earlier case, lodged by the informant against the petitioners for kidnapping of his daughter and her statement under Section 164 Cr.P.C. recorded in which she has stated that she married with one Shahbaz Alam. It is also submitted that the present case is false and concocted and the petitioners have no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioners, above named on surrender or arrest within six weeks be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Sadar (Mufassil) P.S.Case No. 187 of 2018 (G.R. No. 1404 of 2018), subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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