

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58208 of 2018

Arising Out of PS.Case No. -73 Year- 2018 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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1. Md. Ainul Shah son of Late Sadique Shah.
 2. Md. Milan Shah son of Md. Taiyab.
 3. Md. Kalim son of Late Sadique Shah.
 4. Md. Tara son of Late Peer Mohammad.
 5. Md. Manjoor Shah, son of Md. Israil Shah. All resident of Village+ P.S. and District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek anticipatory bail in a case instituted for the offences under Sections 147, 148, 149, 153-A, 295 and 295-A of the Indian Penal Code.

Allegation has been made that the accused persons have came to the Chabutra of Hanuman Mandir and put objectionable remarks and also raised slogans, thereby disturbed the communal harmony. In contra, similar type of allegation has also been made against other side.

Learned counsel for the petitioners submits that now peace



has been restored between the communities.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioners, namely, Md. Ainul Shah, Md. Milan Shah, Md. Kalim, Md. Tara and Md. Manjoor Shah, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No.73 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. It is made clear that if the petitioners will found in committing such type of incident in future, the prosecution will be at liberty to file an application for cancellation of bail.

(Shivaji Pandey, J)

Vinay/Sunny

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