

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27266 of 2018

Arising Out of PS.Case No. -162 Year- 2017 Thana -HASPURA District- AURANGABAD

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Syed Monazir Akhtar @ Md. Tinku S/o Akhtar Hussain, R/o Vill.- Narsan,
P.S.- Haspura, Distt.- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Pathak

For the Opposite Party/s : Mr. Sri Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 04-05-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 325, 337, 338, 341, 307, 353, 152, 295A, 298, 427, 504 and 506 of the Indian Penal Code.

The prosecution case as per the written report of Block Development Officer, Haspura submitted to the Station House Officer, Haspura P.S. on 17.08.2017, is to the effect that an information was received by the informant on mobile that there is a communal tension in village Narsan and both sides are pelting stones on each other, the informant reached at the spot and saw large number of people assembled there. The villagers



of Narsan village armed with sticks, bricks, sword and spear, are pelting stones on the Mosque. The administration tried to pacify the mob, but both communities attacked on each other, as a result several persons received injury including the police personnel. Altogether 19 persons were identified and named in the FIR when the FIR was lodged against 100 unknown also.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general against the mob. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. Moreover, similarly situated co-accused persons have been granted anticipatory bail by different co-ordinate Benches of this Court vide Cr. Misc. Nos. 13038 of 2018 and 4933 of 2018, as contained in Annexure-2 and 3.

Learned APP, however, submits that the petitioner is named in the FIR.

Considering the accusation levelled against the mob and the statement having been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail



bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar in connection with Haspura P.S. Case No. 162 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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