

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35260 of 2018

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Md. Heera @ Abdul Khattar son of Razzaque @ Abdul Ghaffar, resident of
village- Baro, Milki Tola, P.S. Phulwaria, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Satyavarat Verma, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Phulwaria P.S. Case No.117 of 2017 registered under Sections
147, 148, 149, 153A, 353A, 295A, 332, 327, 337 and 427 of the
Indian Penal Code as also under Sections 3 and 4 of the Explosive
Substances Act.

In the first information report it has been alleged that a
procession of Muharram, which was being escorted by the police
party, became violent and members of the mob started pelting
bricks on the house of members of other religious community.
Bombs were also thrown in front of the shop and house of
Dayanand Poddar and Brajesh Kumar respectively. Many persons
are said to have been injured.

Learned counsel for the petitioner submitted that the



petitioner is not named in the FIR. He submitted that though the occurrence took place on 03.10.2017, the FIR in this regard was registered at a later date on 04.10.2017 in which forty four persons have been made named accused apart from five hundred unknown persons. He submitted that under similar circumstance several other persons have been granted pre-arrest bail by this Court by various orders which have been brought on record as Annexure-3 series to the present application. Even some of the named accused persons have also been granted pre-arrest bail by different orders passed by this Court.

Regard being had to the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai in connection with Phulwaria P.S. Case No.117 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Md.S./-

(Ashwani Kumar Singh, J)

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