

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7958 of 2019

Arising Out of PS. Case No.-371 Year-2017 Thana- JOGAPATTI District- West Champaran

Halim Ansari @ Halim Mian, aged about 45 years, Male, S/o Late Hanif
Mian, Resident of Village- Pipra, Katchahari Tola, P.S.- Yogapatti, District
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-02-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
13.10.2018 in a case registered for the offences punishable
under Sections 147, 148, 149, 124(A), 153(B) and 120 (B) of
the Indian Penal Code and Sections 12 and 13 of U.A.P.A. Act.

The prosecution case as per the written report of Atul
Kumar, being Block Welfare Officer, Yogapatti submitted to the



S.H.O., Yogapatti P.S. is to the effect that on 01.10.2017, the informant was deputed as a Magistrate to maintain law and order on the eve of Moharram. It is alleged that during tazia procession, ten boys wearing t-shirt, on which the word Pakistan was written which is an insurgency and the same was protested by the other side. When the tazia procession was arrived, it is hard time for the administration to maintain law and order due to which, the accused persons managed to escaped from the scene. Thereafter, the accused persons were identified with the help of chaukidar and other local people.

It is submitted by learned counsel from the petitioner that the accusation is omnibus and general against the mob. It is further submitted that the FIR does not suggest that the petitioner was wearing t-shirt on which the word Pakistan was written. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner is named in the FIR.

Considering the fact that the accusation is against the mob, coupled with the statement being made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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
C.J.M., Bettiah, West Champaran in connection with
Yogapatti P.S. Case No.371 of 2017.

(Dinesh Kumar Singh, J)

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