

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16853 of 2019**

Arising Out of PS. Case No.-132 Year-2018 Thana- PHULPARAS District- Madhubani

Md. Sadam Mian @ Md. Sadam Hussain @ Md. Sadam, aged about 35 years  
(Male), Son of Lalu Miyan R/o village- Siswabarhi, Ward No. 08, P.S.-  
Phulparas, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Sanjay Kumar Jha, Advocate  
For the Opposite Party : APP

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      25-03-2019                      Heard learned counsel for the petitioner and learned APP  
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 504, 506 and 307 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Phulparas P.S. Case No. 132 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the petitioner is one of the members of the mob. No overt act of assault has been attributed to the petitioner. The accusation of firing upon the informant has been made against co-accused Sunil Yadav. Similarly situated co-accused Shambhu Yadav has been granted anticipatory by this Court vide order dated 18.01.2019 passed in Cr. Misc. No. 71228 of 2018. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate-II, Jhanjharpur, District Madhubani in connection with Phulparas P.S. Case No. 132 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

**(Vikash Jain, J)**

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