

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21157 of 2019

Arising Out of PS. Case No.-698 Year-2018 Thana- KATIHAR District- Katihar

MD. MONU @ MASUM ALAM S/o Md. Gulam Gaus @ Mister Resident of
Argara Chowk, P.S.- Katihar Nagar, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 188, 323, 307, 385 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case got initiated on the basis of written report of Nirmal Kumar Yadvendu, SHO, Katihar Town Police Station submitted to the Chief Judicial Magistrate, Katihar is to the effect that on 22.09.2018, on the eve of Moharram, the petitioner resorted to fire in the air and when the police reached at the spot, he escaped from the scene.

It is submitted by learned counsel for the petitioner that admittedly, the informant did not see the petitioner resorting to firing in air and only on the basis of hear say information, the



petitioner has been roped in the present case. Moreover, the accusation has been levelled against the mob. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR.

Considering the accusation against the mob, no injury being caused to anyone and the accusation being levelled on hear say information coupled with statement 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 anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Katihar in connection with Katihar Nagar P.S. Case No.698 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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