

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34460 of 2019

Arising Out of PS. Case No.-172 Year-2019 Thana- PIRBAHOR District- Patna

1. MD. FAHIM ANWAR SIDDIKI @ FAHIM ANWAR @ FAAIM ANWAR SIDDIQUE Son of Md. Wahid Resident of Village-Hardia, P.S.-Thawe, District-Gopalganj at present residing in Room No.47 of Iqbal Hostel, Patna University, P.S.-Pirbahore, District-Patna.
2. Md. Khalikuljama @ Khalikujama @ Khalikuzzama Son of Shamim Ahmad Resident of New Road Mahnar, P.S.-Mahnar, District-Vaishali at present residing in Room No.46 of Iqbal Hostel, Patna University, P.S.-Pirbahore, District-Patna.
3. Md. Nasir Akhtar @ Nasir Son of Akhtar Hussain Resident of Village and P.O-Nawada, P.S.-Masrakh District-Saran at present residing in Room No.2 of Iqbal Hostel, Patna University, P.S.-Pirbahore, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arif Daula Siddiquie
For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-08-2019 This application, for grant of anticipatory bail, arises out of Pirbahore P.S. Case No. 172 of 2019, disclosing offences under Sections 147, 148, 149, 323, 353 and 307 of the Indian Penal Code and Section 3/4 of the Explosive Substance Act.

Allegation is that police on information that some students are fighting with each other near commerce college, went there and found 8-9 students were having lathi, hockey sticks and iron rod and on seeing the police party, they fled



away and, thereafter, an explosion was also done by the students and 40-50 students of a hostel were pelting stones on Minto hostel, however, on seeing the police, they fled away. Thereafter, eleven students were made accused in this case including petitioners along with several unnamed persons.

Submission of learned counsel for the petitioners is that though, they are named in the F.I.R., no specific allegation has been attributed to them and they have falsely been implicated in this case.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Pirbahore P.S. Case No. 172 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is further subject to the condition that they will cooperate in investigation of the case and will appear as and when required by the police, except on showing genuine



reasons, failing which, the prosecution shall move for
cancellation of bail bonds of the petitioners.

(Vinod Kumar Sinha, J)

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