

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75751 of 2019

Arising Out of PS. Case No.-140 Year-2019 Thana- DARBHANGA District- Darbhanga

Md. Shoaib Son of Md. Izhar @ Md. Izharul Resident of Village- Tarsarai,
Sema, P.S.- Sakri, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Ehteshamuddin, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in **Town P.S. Case No. 140 of 2019**, registered for the offence punishable under Sections 147, 149, 336, 353, 323 and 342 of the Indian Penal Code.

As per prosecution case, on 18.06.2019 in the evening, scuffle took place between the children of Md. Tanveer Ansari and Md. Juber @ Bhola in which Md. Tanveer Ansari became severely injured and during course of treatment he died in the hospital. Due to anger, a mob of 200-250 unknown persons (including five named accused) apprehended Md. Juber @ Bhola and started assaulting him, in the meantime, police party came and took Md Juber @ Bhola into custody. During the incident, some police personnel also become injured. F.I.R has been lodged against five named and 200-250 unknown persons.



It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Petitioner is not named in the F.I.R.

Considering the facts aforesaid and the fact that petitioner is alleged to be simply member of the mob, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Darbhanga** in connection with **Town P.S. Case No. 140 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

