

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9138 of 2020

Arising Out of PS. Case No.-28 Year-2019 Thana- DEO District- Aurangabad

ADIL MIAN @ MD. ADIL @ ALID MIYA S/O Rafique Miya @
Mohammad Rafik @ Rafique Shah R/O Village Deo Kanhouse Par, P.S. Deo,
District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr. Ashok Kumar
Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 26-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Ashok Kumar, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Deo P.S. Case No. 28 of 2019 for the offence registered under Sections 147, 148, 149, 341, 323, 325, 307, 353, 427 and 379 of the Indian Penal Code and Sections 3/4 of the Prohibition to Damage to Public Property Act.

The case of the prosecution in brief is that the accused persons including the petitioner herein are alleged to have



disrupted a public meeting and had engaged in pelting of stones and breaking of chairs.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that a general and omnibus allegation has been levelled against all the accused persons and no specific allegation of any sort of overt act has been levelled qua the petitioner herein.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also taking into account the fact that a general and omnibus allegation has been levelled against the accused persons including the petitioner herein, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four 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 learned C.J.M., Aurangabad in connection with
Deo P.S. Case No. 28 of 2019 subject to the conditions as
stipulated under Section 438(2) of the Code of Criminal
Procedure.

(Mohit Kumar Shah, J)

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