

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1974 of 2020

Arising Out of PS. Case No.-389 Year-2012 Thana- SIKARPUR District- West Champaran

Md. Abbas @ Abbas Mian Son of Shamshul Haque Resident of Village-
Maldahiya Ward No.13, Police Station-Shikarpur, District-West Champaran at
Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and
learned A.P.P for the State.

The petitioner apprehends his arrest in **Shikarpur**
P.S. Case No. 389 of 2012, registered for the offence punishable
under Sections 147, 148, 149, 188, 341, 323, 333, 307, 353,
427, 504, 506, 151, 152, 295, 298 of the Indian Penal Code.

As per the FIR, the informant received information
that 20-25 unknown persons are engaged in Moharram
procession at Siswa Bahuarwa with ulterior motive. In the
meantime, the informant along with police party reached there
and saw 20-25 unknown persons variously armed, engaged in
creating commotion and raising slogans of religious sentiment
of other community and they also assaulted with lathi to the



local public. The police tried to catch them, but they fled away.

It is submitted that petitioner has falsely been implicated in this case due to village politics. The entire allegation is false and concocted. Similarly situated co-accused have been granted bail by a coordinate Bench of this court vide order dated 29.08.2019 passed in Cr. Misc. No. 54644 of 2019. Petitioner has got clean antecedent.

Considering the facts aforesaid, 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, West Champaran at Bettiah** in connection with **Shikarpur P.S. Case No. 389 of 2012**, 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)

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