

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5916 of 2020**

Arising Out of PS. Case No.-397 Year-2019 Thana- FORBESGANJ District- Araria

BOUKU MIAN, Son of Late Badar Mian, Resident of Village - Mirzapur,
Patwa Tola, P.S.- Raniganj, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha, Adv.

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 02-07-2020 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner, in the present case, is seeking anticipatory
bail in connection with Forbesganj (Simraha) P.S. Case No.397
of 2019 registered for the offences under Sections 147, 149,
341, 342, 188, 353 and 504 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. Learned counsel further submits that there is no specific
allegation against the petitioner and he has no criminal
antecedent.

Learned A.P.P. for the State has opposed the prayer for
anticipatory bail of the petitioner.



Having regard to the facts and circumstances of the case wherein it is alleged that this petitioner was one among the 12 named accused persons and 50 unknown persons who had blocked the road while raising a protest for inaction on the part of the police in arresting a murder accused, there being no specific allegation of commission of any overt act against the petitioner and there being no criminal antecedent, let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Forbesganj (Simraha) P.S. Case No.397 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;



(iii) a condition that the person shall not leave India
without the previous permission of the Court.

This application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

