

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12391 of 2020

Arising Out of PS. Case No.-564 Year-2019 Thana- CIVIL LINE District- Gaya

Equbal Hussain @ Md. Eqwal Hussain @ Md. Equbal Hussain Son of Late
Manawar Hussain, Resident of Mohalla - Panchaitiya Akhara, P.S. - Kotwali,
District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tabish Sharfuddin

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 10-12-2020 Heard Mr. Surendra Kumar, learned counsel for the

petitioner and Mr. Anuj Kumar Srivastava, learned counsel for

the State through Video Conferencing.

In this case, the petitioner is seeking anticipatory bail
in connection with Civil Lines P.S. Case No. 564 of 2019
registered for offence punishable under sections 147, 148, 149,
323, 341, 504, 506, 427, 188, 332, 353, 383, 290, 337, 435, 436
of the Indian Penal Code and section 3/4 of the Prevention of
Damage to Public Property Act.

In the present case, on account of some dispute in
Jamia University, the people of the locality assembled, started
procession and in returning, they damaged the police barricades
and government property, pelted stones on many houses and



shops and also broke the classes of the cars.

Learned counsel for the petitioner submits there is no specific allegation against the petitioner. The case diary along with video clip has been produced before this Court.

Looking to the entirety of the matter, this Court is inclined to grant anticipatory bail to the above named petitioner, subject to condition that he will deposit Rs. 10,000/- as a cost in the Patna High Court Legal Services Committee within two weeks and on deposit of the said amount, he in the event of arrest or surrender before the court below within a period of six weeks from today, is directed to be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Civil Lines P.S. Case No. 564 of 2019, subject to conditions as laid down under section 438 (2) Cr.P.C. Further condition is that one of the bailors of the petitioner shall be his close relative. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in future in the similar type of offence, the prosecution will be at liberty to make prayer for cancellation of his bail and the court



below will pass necessary order, including cancellation of bail of the petitioner. It is made clear that if the petitioner would not deposit the said money by the aforesaid period, the bail granted to the petitioner will be treated to have been withdrawn.

(Shivaji Pandey, J)

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