

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 18515 of 2020

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Ali Akhtar, aged about 64 years, male, S/o Peer Muhammad Pavaria, R/o Village/Mohalla-Hassanpura, P.S.-M.H. Nagar, Hussainganj, District-Siwan.

.....Petitioner/s

Versus

The State of Bihar

.....Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rabindra Kumar Tiwary, Adv.

For the State : Mr. Ajay Kumar Jha, APP

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CORAM : HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

02/- 14.07.2020

Heard Mr. Rabindra Kumar Tiwary, learned counsel for the petitioner and Mr. Ajay Kumar Jha, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with M.H. Nagar P.S. Case No. 199 of 2019, instituted for the offences under Sections 147, 148, 149, 341, 323, 307, 332, 337, 353 and 427 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that a reading of the F.I.R. would indicate that the death took place because of an accident/collusion between the two motorcycles. ie congregation of many persons at the



spot. When the police party arrived, the petitioner and others are said to have resorted to brick-bats. It has further been submitted that many persons have been named along with the petitioner and his implication in this case is on the basis of statement given to the police party by the persons who have definite animus against him.

Under similar circumstances, some of the accused persons of this case have been granted anticipatory bail by a Bench of this Court *vide* order dated 31.01.2020 passed in Cr. Misc. No. 72662 of 2019.

The petitioner claims to be a person of clean antecedent.

Regard being had to the nature of accusation against the petitioner and taking into account his clean antecedent, he, in the event of his arrest/surrender before the Court below within a period of six weeks from today, shall be released on bail on his furnishing bail-bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with M.H. Nagar P.S. Case No. 199 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J.)

Praveen-II/-

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