

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15801 of 2020

Arising Out of PS. Case No.-574 Year-2019 Thana- GAYA KOTWALI District- Gaya

Eqbal Hussain @ Md. Eqbal Hussain @ Md. Eqbal 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 State : Mr. N. N. Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 341, 323, 332, 427,
435, 436, 353, 290, 283, 188, 379 & 120(B) 379 of the Indian
Penal Code and ¾ of Prevention of Damage to Public Property
Act.

Allegedly, without taking prior permission from the
administration, about 5000 people having Danda and Fire torch



in their hands came at the tower chowk and in the way, the mob torn government posters, broke the glasses of several government and private vehicles, damaged many government properties by fire and started pelting brick and stones, misbehaved the police and in consequence thereof, they snatched one camera by which the administration was doing videography of the procession. Similarly, the mob obstructed road traffic and used force against police forces obstructing them from discharging their public duties.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of



learned Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 574 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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