

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 20585 of 2020

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1. Akhtar Hussain @ Akhtar Hussain, aged about 60 years, male, Son of Late Jahrul Haque.

2. Md. Nezamuddin, aged about 35 years, male, Son of Sk. Abbas.

3. Md. Obaidullah, aged about 53 years, male, Son of Late Mohammad Wajul Haque.

4. Shan Mohammad Khan, aged about 55 years, male, Son of Late Sadik Khan.

5. Yunush Mohammad, aged about 60 years, male, Son of Late Isa Mohammad.

6. Motiur Rahman, aged about 40 years, male, Son of Waliullah.

7. Md. Sallauddin, aged about 48 years, male, Son of Late Ijarail.

8. Shamim Ahmad, aged about 55 years, male, Son of Sk. Abdul Hafiz.

All R/o Village-Bahlolpur, P.S.-Dhaka, District-East Champaran.

.....Petitioner/s

Versus

The State of Bihar

.....Opposite Party/s



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Appearance:

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.

Mr. Pravin Kumar, Adv.

For the State : Mr. Ganesh Prasad Singh, APP

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CORAM : HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

02/- 24/07/2020

Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioners and Mr. Ganesh Prasad Singh, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Dhaka P.S. Case No. 51 of 2020, dated 01.02.2020, instituted for the offences under Sections 147, 148, 149, 341, 323, 188, 332, 333, 353, 295 and 120(B) of the Indian Penal Code.

From the F.I.R., it appears that the petitioners were members of the mob who prevented the Saraswati Puja procession from being taken out. When an interference was



made by the local government authorities, the accused persons created ruckus.

It has been submitted on behalf of the petitioners that they have just been named in the F.I.R. without any specific accusation. Assuming but not admitting that the petitioners were present at the time of the occurrence, they were sitting on the road against the taking of the procession and have not been attributed with pelting of stones or committing any specific overt act.

All the petitioners have clean antecedents except petitioner No. 8.

Regard being had to the nature of accusation against the petitioners and the other attended facts, the petitioners above-named, in the event of their arrest/surrender before the Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikrahna at Dhaka, East



Champan in connection Dhaka P.S. Case No. 51 of 2020,
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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