

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20090 of 2020**

Arising Out of PS. Case No.-470 Year-2019 Thana- GAYA KOTWALI District- Gaya

MD. DANISH, aged about 32 years, Male, Son of Late Abdul Sattar, Resident
of Village - K.B. Lane, Police Station - Kotwali (Gaya), District – Gaya
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Fakhruddin Ali Ahmad, Adv.
For the Opposite Party : Mr. A.G

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-06-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state thorough video
conferencing.

The petitioner seeks bail in connection with Kotwali
P.S. Case No. 470 of 2019, registered under Sections 147m 149,
153(A), 295(A) and 307 of the Indian Penal Code and 27 of the
Arms Act.

The learned counsel for the petitioner submits that in
view of the lock-down due to pandemic of Covid-19 he could
not remove the defects, as pointed out vide office note, dated
15.06.2020 and undertakes that soon-after opening the Court, he
will remove all the defects.

The accusation is that 10.10.2019 at 09.00 p.m., all of
a sudden he saw persons raising slogans and coming towards
Panchayat Akhara touching the feeling of the Hindu community,



then, he saw a mob of people of more than 100 persons, having country made pistol, sword and other arms, is coming making firing on the roof of his sister and some member of the mob also pelting stones. In the firing Sunaina Devi, Versa Kumari, Shweta Kumari and Rhitik, family members of his sister, sustained fire arm injury. At that time, Mr. Danish (petitioner) and Md. Prince were amongst the members of the mob.

Submission is that while the petitioner was identified amongst the members of the mob pelting stones, but, no further act has been attributed against the petitioner. Further, submission is that petitioner having no criminal antecedent is in custody since 14.02.2020 and on investigation, the police has already submitted the charge sheet.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Kotwali P.S. Case No. 470 of 2019 to the satisfaction of the Chief Judicial Magistrate, Gaya, subject to the conditions that out of two bailors, one must either be parent or close relative of the petitioner. In case of non-appearance of the petitioner, on two consecutive dates, without any reasonable ground, the trial



Court would be at liberty to cancel the bail bond of the
petitioner.

(Rajendra Kumar Mishra, J)

Shamshad/-

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