

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21012 of 2020**

Arising Out of PS. Case No.-14 Year-2020 Thana- ABADPUR District- Katihar

1. Sahabuddin @ Sk. Sahabuddin, Son of Samsuddin, Resident of Village - Pramanik Tola, P.S.- Abadpur, Distt.- Katihar.
2. Md. Saïen, Son of Samsuddin, Resident of Village - Pramanik Tola, P.S.- Abadpur, Distt.- Katihar.
3. Md. Saheb, Son of Samsuddin, Resident of Village - Pramanik Tola, P.S.- Abadpur, Distt.- Katihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 26-06-2020 Learned counsel for the petitioner undertakes to remove the defects within three weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Abadpur P.S. Case N. 14 of 2020 registered for the offences punishable under Sections 147, 148, 149, 323, 341, 307, 353, 332, 333, 427, 436 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that there is no specific allegation of committing any overt act against the



petitioner. There is general and omnibus allegation against all the accused persons. It is further submitted that the co-accused in this case have been granted regular bail in Cr. Misc. No. 18490 of 2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioner that his name has been involved in this case as one of the members of the mob which had assembled at the gate of the Police Station where because of the alleged assault by police one accused had become senseless and unconscious and the people were protesting against that, there is no specific allegation of commission of any overt act against the petitioner, the allegations are general and omnibus and that the co-accused in this case have been granted regular bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 18490 of 2020, let the petitioner above named be released on bail in connection with Abadpur P.S. Case No. 14 of 2020 on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Katihar, subject to the condition as laid



down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

(Rajeev Ranjan Prasad, J)

vats/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

