

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18785 of 2021

Arising Out of PS. Case No.-194 Year-2020 Thana- SIRDALA District- Nawada

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1. Mahtab Alam Son Of Mobin Uddin Resident Of Village- Pasadhi, P.S. Sirdala (MESKAUR), District- Nawada
 2. Rehan Son Of Md. Annaw Resident Of Village- Pasadhi, P.S. Sirdala (MESKAUR), District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

Counsel for the petitioners seeks permission to withdraw the present application on behalf of petitioner No.2, as the petitioner No.2 has been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner No.2 is dismissed as withdrawn.

The petitioner No.1 is apprehending his arrest in



connection with Sirdala (Meskaur) P.S. case No.194 of 2020 registered under Sections 147, 149, 353, 336, 153(A), 295, 120(B) of the Indian Penal Code.

Allegation is that the accused persons have disobeyed the lock down order of the government and disturbed communal harmony in society during lock down period and the accused persons also did brick batting and stone pelting on police.

It has been submitted on behalf of the petitioner No.1 that the petitioner No.1 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No.1. The petitioner No.1 has falsely been implicated in the present case. Altercation took place between the two communities. General and omnibus allegation has been made. Brick batting is alleged to have taken place. No specific overt act is alleged against the petitioner No.1. The name of the petitioner No.1 has transpired in this case on the basis of disclosure made by the local residents as per F.I.R. The names of local residents, who have named the petitioner No.1, have not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner No.1 in this case.

On behalf of the State, it is submitted that the



petitioner No.1 is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner No.1, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate-I, Nawada in connection with Sirdala (Meskaur) P.S. case No.194 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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