

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21797 of 2021

Arising Out of PS. Case No.-178 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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EMAM MIAN @ IMAM HASAN Son of Isrudeen Ansari @ Md. Isrudeen
Resident of Village- Baswariya, Police Station- Bettiah Town, District- West
Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.A.PP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Bettiah Town P.S. Case no. 178 of 2018 instituted for the
offence under Sections 147, 148, 149, 353, 295A, 307 and 337
of the Indian Penal Code and Section 3 of the Prevention of
Damage to the Public Property Act.

On getting information about a scuffle due to
motorcycle accident, police party proceeded there. Some



miscreants were creating hinderance in discharging the duty to the police officials. Accordingly, an FIR was lodged against five named and 200-300 un-named persons including the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He was simple a member of the mob. The name of the petitioner has been disclosed in this case by the apprehended co-accused. Similarly situated co-accused persons have already been granted anticipatory bail by this Court vide order dated 4.5.2018 passed in Cr. Misc. No. 25577 of 2018.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bettiah Town P.S. Case no. 178 of 2018, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bettiah, West Champaran subject to the conditions as laid down under section 438(2) of



the Cr.P.C.

(Sunil Kumar Panwar, J)

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