

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36403 of 2020

Arising Out of PS. Case No.-110 Year-2019 Thana- AGION (GARHANI) District- Bhojpur

TASLIM @ ARIF @ GUDDU MUKHIYA @ TASLIM ARIF SON OF
BADRUDDIN @ BADADIN ALEE, RESIDENT OF VILLAGE-
GARHANI, P.S.- CHARPOKHARI, DISTRICT- BHOJPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Adv.

For the Opposite Party/s : Md. Anbzarul Haque, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 30-06-2021 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Agion (G) P.S.

Case No.110 of 2019 registered under Sections 147, 148, 149,
341, 323, 186, 187, 189, 342, 353, 224, 427, 504, 506 and 336
of the Indian Penal Code.

In sum and substance, the informant alleged that the
police officers of Amas P.S. came to arrest Taslim @ Guddu
Mukhia (petitioner) in connection with Amas P.S. Case No.150
of 2019 registered under Sections 8, 20(b)(ii)(c) and 29 of the
Narcotic Drugs and Psychotropic Substances Act but when the
petitioner was arrested, his supporters and others instigated the
mob to get the petitioner freed from the custody of police but
somehow the police brought the accused to the police station. It

is further alleged that the brother of Guddu Mukhia came to the police station on a Scorpio bearing Registration No.BR-03P-9324 and threatened the S.H.O. and others but thereafter the accused persons fled away.

Learned counsel for the petitioner submits that the petitioner was arrested on 02.08.2019. He was brought to the police station. The informant did not allege that the petitioner made any effort to get himself freed from the custody of the police. The brother of the petitioner and others are alleged to have instigated the mob in order to get the petitioner freed from the custody of the police. It is further submitted that the petitioner was apprehended on 02.08.2019 and remanded in Amas P.S. Case No.150 of 2019. The petitioner remained in jail for more than six months but the Investigating Officer did not take any step to remand the petitioner in the present case i.e. Agion (G) P.S. Case No.110 of 2019. When the petitioner was released from the custody, the police again bent upon to arrest the petitioner.

Learned A.P.P., however, opposed the prayer for anticipatory bail.

Having considered the submissions of both sides and on perusal of the record, it appears that the petitioner was

arrested in Amas P.S. Case No.150 of 2019 and remanded to judicial custody. The petitioner remained in jail for more than six months but the Investigating Officer did not take any step to remand the petitioner in the present case.

Taking into consideration the facts aforesaid, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 11th, Ara in connection with Agion (G) P.S. Case No.110 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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