

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51826 of 2021

Arising Out of PS. Case No.-62 Year-2020 Thana- BARABAR TOURIST District- Jehanabad

MD. MOJKIR @ MD. MOJAKIR S/o Late Shahid @ Shahid Ansari Resident
of Village- Dakra, P.S.- Barabar Paryatak, District- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Murad Ashraf
For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2021 Heard learned counsel for the petitioner and learned APP for
the State.

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

The petitioner is apprehending his arrest in connection with
Barabar Paryatak P.S. Case No. 62 of 2020 registered under Sections
147, 148, 149, 186, 188, 353 of the Indian Penal Code, 9 Bihar
Control of the use band Play of Lourspeaker Act 1953 and 51/57 of
Disaster of Management Act, 2005.

Allegedly, the accused persons including the petitioner were
protesting on the occasion of Moharram procession and in
consequence thereof, assault was made as a result of which, the
S.H.O. of Barabar Paryatan P.S. sustained injury on his left shoulder.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. As per allegation, some persons were protesting on the occasion of Moharram procession. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shri Alok Ranjan, learned Judicial Magistrate-Ist Class, Jehanabad in connection with Barabar Paryatak P.S. Case No. 62 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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