

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38188 of 2020

Arising Out of PS. Case No.-156 Year-2018 Thana- KOCHADHAMAN District- Kishanganj

GULBAN @ GUL MOHAMMAD @ GULBAN Son of Late Noorul Haque
Resident of Village - Nisantra, P.S. - Kochadhaman, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in connection with Kochadhaman (Bishanpur O.P.) P.S. case No.156 of 2018 registered under Sections 114, 147, 148, 149, 323, 342, 448, 307, 332, 333, 379, 427, 353, 436 of the Indian Penal Code.

Allegation is that 75 named accused persons along with 1500-2000 unknown assaulted the police personnel by pelting stones and also damaged the Out Post and motorcycle by setting on fire.



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 falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in this case in course of investigation. General and omnibus allegation has been made. No specific overt act is alleged against the petitioner. Altogether 75 persons are named in the F.I.R. along with 1500-2000 unknown persons. Co-accuseds have been granted anticipatory bail vide Annexure 2 to the present application by a Co-ordinate Bench of this Court.

On behalf of the State, it is submitted that the petitioner is not named in the complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, 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 his personal bond to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kochadhaman (Bishanpur O.P.) P.S. case No.156 of 2018, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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