

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1368 of 2021

Arising Out of PS. Case No.-63 Year-2020 Thana- PIRBAHOR District- Patna

1. MD. NEYAZ @ GUDDU BABA Son of Md. Esan @ Md. Mujib Resident of Sohan Jewellers, Data Pirbahore, P.S.- Pirbahore, District- Patna.
2. Md. Shamsher Son of Md. Mujib Resident of Rajdhani House Ganjagali, P.S.- Pirbaore, District- Patna.
3. Md. Sahab Alam @ Rinku @ Tinku Son of Md. Sayeed Alam Resident of Ganjagali, Below Aron Gym Coffee Shop, Opposite Patna University Library, Ashok Rajpath, Pirbahore, P.S.- Pirbahore, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Counsel for the petitioners 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 petitioners are apprehending their arrest in a case registered under Sections 188, 147, 148, 149, 341, 323, 307, 379, 427, 353 of the Indian Penal Code and Section 27 of the Arms Act and Sections 3/4 of Explosive Substance Act.

Allegation is that the F.I.R. named accused persons along with 600-700 unknown persons exploded bombs upon



procession and also pelted bricks and stones upon procession, as a result of which many people became seriously injured.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners have been made accused due to mistake of fact. F.I.R. was instituted against 25 persons named in the F.I.R. along with 600-700 unknown persons. General and omnibus allegation has been made. No specific overt act is alleged against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioners, 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 their personal bond to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Pirbahore P.S. case No.63 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



Once the normalcy is restored, the petitioners will 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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