

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8229 of 2022

Arising Out of PS. Case No.-1105 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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MD. HIRA @ MOHAMMAD HIRA @ MASIHUZZAMA, aged about 34
years, Male, S/o Hafiz Raiyan @ Md. Raiyan, Resident of Nazir Momin
Lane, Champanagar, P.S.- Nathnagar, District- Bhagalpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Indeshwari Prasad Mandal, Advocate
For the Opposite Party : Mr. Shyameshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner is apprehending his arrest in connection
with Kotwali (Jogsar) P.S. Case No. 1105/2019 for the offence
registered under Sections 147, 149, 341, 353, 427 and 504 of the
I.P.C.

The prosecution story, in brief, is that on 19.12.2019
against the Citizenship Amendment Act and N.R.C. Rule, CPI
(M), AIFY and AIMIM and other party called for '*Bihar Band*'
in which informant and other police forces have been deputed at



Vishwa Vidhyalaya O.P. Bhagalpur to maintain the law and order where they reached with vehicle. It is further alleged that after maintaining the law and order, when they proceeded to *Kachahari* for government work and as soon as they reached at *Ghantaghar* about 2.00 O'clock, F.I.R. named accused persons including the petitioner and 200-250 unknown miscreants stopped the police vehicle and started pelting stone on police vehicle and damaged the same.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. A protest was being made against the Citizenship Amendment Act and N.R.C. Altogether 6 named persons alongwith 200-250 unknown persons have been made accused in the present case.

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

Considering the aforesaid facts and circumstances of the case, let 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur, in connection with Kotwali (Jogsar) P.S. Case No. 1105/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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